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EFFECTS OF DRUG TRAFFICKING AND DRUG ABUSE IN THE SOUTH FLORIDA COMMUNITY

HEARING

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

FIRST SESSION

OCTOBER 12 AND 13, 1983

Printed for the use of the
Select Committee on Narcotics Abuse and Control

SCNAC-98-1-5

U.S. GOVERNMENT PRINTING OFFICE
32-185 O WASHINGTON : 1984

H 961-13

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EFFECTS OF DRUG TRAFFICKING AND DRUG ABUSE IN THE SOUTH FLORIDA COMMUNITY

WEDNESDAY, OCTOBER 12, 1983

House of Representatives,
Select Committee on Narcotics Abuse and Control,
West Palm Beach, Fla.

The committee met, pursuant to call, at 9:15 a.m., in City Hall, West Palm Beach, Fla., Hon. Charles B. Rangel (chairman) presiding.

Present: Representatives Charles B. Rangel, Frank J. Guarini, Lawrence J. Smith, Benjamin A. Gilman, E. Clay Shaw, Jr., Tom Lewis, and Edward F. Feighan.

Staff present: John T. Cusack, chief of staff; Richard B. Lowe III, chief counsel; Elliott A. Brown, minority staff director, and Edward H. Jurith, counsel.

Mr. Rangel. The House Select Committee on Narcotics Abuse will come to order.

Good morning, ladies and gentlemen.

Today the House Select Committee on Narcotics Abuse and Control will begin 2 days of hearings examining the current state of drug trafficking from South America and the Caribbean through South Florida. At the outset, I would like to express my appreciation to Congressman Tom Lewis, a member of the select committee, for hosting the committee while we conduct this series of hearings. The commitment of Members of Congress such as Tom Lewis, as well as the other members of the select committee, underscores the intensity with which the Congress views the need for effective narcotics trafficking control and drug abuse prevention.

I also want to take the opportunity to thank the city of West Palm Beach and its municipal staff for their cooperation with the select committee in providing excellent facilities for our hearings and for the assistance they have extended us.

It would be my wish to open these hearings on an optimistic note but, unfortunately, the select committee recently completed a study mission to the major narcotics-producing nations in South America and the Caribbean. It is my sad duty to report to you that cultivation of coca and marihuana has grown completely out of control. In Peru, Bolivia, Colombia, and Jamaica we observed the illicit production of these substances at an alarming rate. But the bad news doesn't stop there.

This illicit cultivation continues unchecked, fueled by the inability and lack of commitment of those South American governments to eradicate these illicit narcotic crops. This situation is compounded by the inability of our diplomatic efforts to successfully convince these nations to abide by their treaty, and moral obligations to embark upon aggressive eradication and control policies. Our own Government, by failing to put into place a bold international control policy, in part has created the nightmare in which we find ourselves today.

What is the evidence of that nightmare? It is all around us. The Drug Enforcement Administration recently announced that the price of cocaine is plummeting around the country. Traffickers are smuggling record amounts of cocaine into the United States, moving a bumper crop from new and expanded growing fields in Peru, Bolivia, and Colombia.

Admiral Thompson, one of our witnesses this morning, summed it up succinctly, "There is a cocaine glut on the market." Admiral Thompson is in charge of our interdiction efforts in this very crucial part of the country.

Further evidence exists. While bulk marihuana trafficking through this area is down, the traffickers have simply shifted operations up the East and along the gulf coast. We have heard of record seizures as far north as Maine.

All of this raises questions in our minds. Notwithstanding the operation of the south Florida task force for over 1½ years, the availability of illicit drugs in our country remains wholly unabated. What does this mean? Yes, the task force was and is a necessary effort. And yes, it has had its successes: record seizures of narcotics and over 1,600 arrests. Most important, it restored a sense of order and safety to the south Florida community where before there was an atmosphere of chaos and violence. Yet we must measure the success of our interdiction efforts on a national scale.

A concentration of manpower, equipment, and resources in one part of our Nation, performing a credible job does little good if illicit drugs are readily available in Harlem, Los Angeles, Jersey City, or Washington, D.C. To look at it any other way would be in effect saying the operation was a success but the patient died. Notwithstanding the south Florida task force, our Nation is dying under the continuous scourge of drug abuse and addiction.

Over the next 2 days we will be hearing from a broad range of witnesses. We will examine how the Federal Government is responding to the failure of foreign governments to eradicate illegal crops within their territory. We will look at the response of our interdiction efforts to this threat and how the administration is managing its interdiction and drug enforcement efforts in south Florida and the Caribbean.

We will also be receiving testimony from community leaders, educators and drug abuse professionals about the continuing impact of drugs and drug abuse in the south Florida community.

I just want to say to the press at the outset, while this committee has a concern with foreign source nations, it is not our mission here in Florida to be dealing with any allegations that have been made by any foreign government, no matter how close it is to the sovereign State of Florida.

We do realize that there is an ongoing communication between our State Department and other governments involved and it is our feeling at the present time to leave the negotiation of those charges to the executive branch.

Mr. Gilman?

Mr. GILMAN. Thank you, Mr. Chairman.

I would like to associate myself with your remarks and to commend you and the committee for holding this vitally important hearing on the effects of drug trafficking and drug abuse in the south Florida community. The hearing is directly linked to our Narcotics Select Committee's recent field mission to the drug-producing nations of Mexico, Peru, Bolivia, Colombia, and Jamaica, where we were able to observe at first hand the extensive amount of marihuana and cocaine cultivated in that part of the world, where these deadly substances are then transshipped through the Caribbean, and impact not only upon the Florida community but eventually reach into nearly every city, town, and school district throughout our Nation.

Florida has become a major distribution and financial center for marihuana and cocaine, a major conduit for the trafficking of drugs and for the laundering of drug assets.

That is why we are here today, to learn what needs to be done to prevent these dangerous drugs from reaching our shores, and how can we best interdict the narcotics trafficking and what additional resources are going to be needed for the Federal Government to achieve this goal.

As all of us here know, narcotics trafficking and drug abuse has now reached epidemic proportions, both here in our own Nation and abroad. Unfortunately, at best we are only beginning to make a small dent in combating this deadly menace that is undermining our political, our economic, and social institutions, that is creating havoc for our citizens who erroneously believe that the way to escape the pressures of society today is through drugs.

To state the problem another way, Mr. Chairman, the pervasive social acceptance of drugs is undermining the health of our citizens and corrupting our entire society.

This committee and our colleagues in the Congress are anxious to know how we as a nation can more effectively combat the drug traffickers whose sordid business activities bring so much misery to so many of our citizens, and how we can develop more effective drug prevention programs to warn our citizens, particularly our young people, about the dangers of drug abuse and the availability of drug treatment, and rehabilitation programs for those who have become dependent upon these deadly drugs.

Mr. Chairman, I commend our colleague, Tom Lewis, for helping to spearhead this hearing.

I join in thanking the city of West Palm Beach and its municipal staff for helping to make the hearing possible.

I would also like to welcome our distinguished Federal, State, and local officials at our hearing. We look forward to receiving their suggestions as to how our Nation can best combat this pervasive drug problem.

Thank you, Mr. Chairman.

Mr. RANGEL. Congressman Gilman also serves on the House Foreign Affairs Committee.

Frank Guarini, who serves with me on the Ways and Means Committee from New Jersey.

Mr. GUARINI. Thank you, Mr. Chairman.

I am very pleased to participate in these proceedings. It is very timely, after our recent trip to Latin America. I want to thank Tom Lewis for hosting these proceedings here. I look forward to the testimony.

Mr. RANGEL. Tom Lewis, our host Congressman, we want to thank you. I think the participation of so many members at this hearing from all parts of the United States indicates our response to your deep concern as to what is happening in this part of the country and indeed throughout the United States. We thank you for the hospitality extended.

Mr. LEWIS. Thank you, Mr. Chairman. Thank you for bringing the committee to West Palm Beach.

I would like to also thank my distinguished colleagues for leaving their districts to come to the West Palm Beach area. I want to welcome you.

I want to point out the insidious problems that are created by narcotics trafficking that affects each and every one of us. Until we individually make a commitment to do our part, any legal enforcement, law or educational program will fail.

The illegal narcotics industry involves agricultural production, processing, manufacturing, distribution, trafficking, and financial transactions. It is a multibillion dollar business, with a pervasive influence that is disruptive and debilitating. It is this committee's purpose to control illegal narcotics by focusing on the effects it has on south Florida communities and citizens. Most of all, we seek to find specific tangible ways to do something about it.

We are not interested in developing another laundry list of problems. Our goal is to develop a short-term and long-term legislative item that joins the forces of Federal, State, and local governments, community groups, and individual citizens to eliminate the crippling illicit narcotics once and for all.

The pervasive nature of the drug trade was brought home to us once again just last week when we heard the news that a prominent south Florida lawyer and bank board chairman pleaded guilty to laundering drug money and admitted to setting up at least six foreign corporations to launder millions of dollars for a Florida-based smuggling gang. The sad part of the story is that the guilty party received a light slap on the wrist, 5 years probation, $75,000 fine.

We have brought together a group of people for this hearing that can relate the every day experiences in stopping the drug flow and drug abuse in south Florida. These people spend many hours trying to find a light at the end of a very long tunnel.

I and other members of the Select Committee on Narcotics Abuse and Control learned very quickly during a trip to the drug source countries in south America that the people down there believe drugs are our problem, not theirs. We need to convince them with a carrot and stick approach that they are wrong. There is no reason why our foreign policy and initiatives cannot be tied to foreign cooperation on this problem; nevertheless, there is some truth in what our neighbors to the south say in that it is the American people who demand and pay for their marihuana and cocaine and other bootleg drugs.

With that in mind, we have assembled this impressive group of people to help us convey to the rest of the United States the south Florida experience and relate that south Florida's problems are everyone's problems.

Thank you, Mr. Chairman.

Mr. RANGEL. Thank you.

Formerly from New York and now representing a Florida district, Larry Smith, who brings the broad wisdom and experience of the Foreign Affairs Committee to us.

Mr. SMITH. Thank you, Mr. Chairman.

I am very happy to be here today because any time we can get a group of distinguished people together, especially a south Florida committee, to discuss this problem it is a good day. Unfortunately, we have not had many good days in Florida over the years.

I spent a number of years in the legislature, the last few as the chairman of the Criminal Justice Committee. Unfortunately, I have to report even though the State has done a tremendous amount in trying to combat the drug problem and combat crime in general, Florida still ranks as No. 1 in the country in the importation of cocaine and marihuana. And unfortunately, there has been, even with the South Florida Task Force and the concern of the Federal Government, a continuing and stepped-up process of importations.

I am happy that these hearings are being held here. And I am happier that we have people who are here to testify before us about what it is they are doing at the Federal level to attempt to stop this problem.

We don't want to be No. 1 in this problem. We would like to be No. 50 out of 50 States for a change when it comes to this particular kind of situation. We would like to be No. 50 along with all the other States, which would mean we have effectively eradicated drugs. Even though we know we cannot do that, in the short run we would like to make the biggest dent we can on the problem.

I know you as chairman have a major concern about the importation of drugs into this country, not only for the United States, but, of course, your own area of New York, which is so influenced by drugs.

Let me just say ultimately I would hope these hearings could produce positive steps which the Federal Government can take to influence source countries, countries of transshipment and law enforcement and other agencies and individual citizens in the United States, that this must be a common cause, that this must be a war against drugs waged at all levels with the full commitment of the United States, the full commitment of the State and locals, with the cooperation of the U.S. Government, and the full commitment of all those other countries that are plagued by this problem.

I think we owe it to our children. Those of you that live in areas where there are drugs know the pervasive, evil, corrupting, and unfortunately degrading influence that drugs have on the young people in this society.

I would like to say that Florida, while a point of importation, is free from drugs. Unfortunately, that is not true. The drug problem here is bad and it has been getting worse for years. We owe it to our children to make sure that we are successful in these hearings.

I am grateful that Congressman Lewis, with whom I worked for many years in the legislature and who was a very active partner in the fight against drugs and crime, is here and hosting this for us today.

I commend you again, Mr. Chairman, and I hope these 2 days of hearings will be very fruitful.

Mr. RANGEL Another distinguished member of the Florida delegation that serves on the select committee is Clay Shaw, who also serves on the Judiciary Committee, which has the ultimate constitutional responsibility for all of our civil and criminal laws, especially those laws dealing with narcotics trafficking.

Mr. SHAW. Thank you, Mr. Chairman. I would like to thank you and the ranking member, Mr. Gilman, for bringing this most important committee here to West Palm Beach, Tom Lewis' district. Even though Tom is a freshman in the Congress, he is bringing with him the vast amount of experience he had from the Florida Legislature. He has been a very active member of not only this committee, but the entire House of Representatives.

I think, Mr. Chairman, in the last 3 years, the Congress of the United States and the present administration, we have perhaps made more headway against drugs than any other 5 years in the history of this country. However, in doing so, I think there is no question that we are continuing to lose ground. There is still much more to be done.

Florida suffers from a problem of geography; where we are located makes us the gateway of illegal drugs. We have done a lot to stem this in south Florida and as we know—it has caused a displaced problem of entry of drugs into this country.

I think we must study what we are doing right in Florida so we can be sure it is expanded to the rest of the country. I think we must continue to look at Florida and see what else can be done to make our efforts more effective.

I personally want to thank you, Mr. Chairman, and this committee, for the extraordinary amount of attention that you have given to our problems in Florida and of course recognizing this as a problem of the United States. Obviously nobody on this committee has to sit here and say drugs are bad because we know they are eroding the future of this country. I don't think there is any greater threat to the United States and to its future than the continuing spread of drugs throughout the United States.

Again, I thank you very much for bringing this committee to Florida.

Mr. RANGEL. Ed Feighan is joining us on this hearing. He is from Cleveland, Ohio, and serves on the Foreign Affairs Committee and certainly has made quite a mark for himself in the involvement of the Subcommittee on Narcotics Control. We thank you for joining us.

Mr. FEIGHAN. Thank you very much, Mr. Chairman.

Let me express how grateful I am to have the invitation to join you and members of the select committee this morning on these hearings. Although, as you indicated, I am not a member of the select committee, I share the very vital interests that you and members of the Select Committee have demonstrated in the United States and local government efforts to stem the flow of drugs across our borders.

The House Foreign Affairs Committee Task Force on International Control was formed to oversee the administration's activities in international control. Most recently our task force has been investigating the very significant trafficking of drugs through the Caribbean, particularly the Bahamas, which are the primary transshipment points for cocaine and marihuana imported into this country.

Clear, timely, and comprehensive action is needed to combat the growing problem of drug smuggling in the Caribbean, and particularly into southern Florida. I am confident these hearings over the next 2 days are going to provide a very effective complement to the work our task force has been doing. I look forward to working with the select committee to encourage and enhance greater international control.

Mr. RANGEL. The members will be available to the press sometime before we leave. Also available will be our staff. We have our Chief of Staff Jack Cusack, Chief Legal Counsel Richard B. Lowe, and International Specialist Elliott Brown, the chief minority counsel—and the rest of our staff will be made available.

We will start the formal part of our hearing.

One of the public officials that has supported the work of our congressmen from this area is the mayor of Everglades City, Fla., Mayor Herman Askren.

We want to thank you on behalf of the committee and certainly on behalf of Tom Lewis for taking time out to meet with us this morning.

TESTIMONY OF HERMAN ASKREN, MAYOR, EVERGLADES CITY, FLA.

Mr. ASKREN. Thank you, Mr. Chairman.

Mr. Lewis, I am grateful to you for your representation of Collier County. I appreciate the honor of being here before you and hopefully I can testify to help enlighten something in this bad problem we have in south Florida.

Mr. RANGEL. Well, Mr. Mayor, we do have your full statement here you were kind enough to submit. That statement will be in the record.

[Prepared statement of Mr. Askren appears on p. 107.]

Mr.RANGEL. Basically we just want to thank you for the support you have given to Tom Lewis and to let you know that the Congress, and more specifically this select committee, is here to join you in that struggle.

Mr. ASKREN. Thank you.

Mr. RANGEL. If you have no additional remarks to make, I would ask whether or not the committee would have any questions.

Mr. LEWIS. Mr. Chairman—Mr. Mayor, I think the committee would be interested to know just how in your opinion a fine, small community, more or less a fishing town used by vacationers to go fishing in the Gulf of Mexico, was essentially totally destroyed by the traffic in drugs.

Mr. ASKREN. Well, I believe it has totally destroyed the morality in our area. Not totally. I feel that the majority of the people in Everglades City, in our area, are good, upright citizens. But we have drug trafficking in the Everglades City area, the same as we do all over the south Florida area. I don't feel good about this.

As a representative of the city, I feel very bad about it. I don't have a whole lot of control. My little town of 534 people—it is so obvious in our town because it is a small village. I think maybe in the Miami, Palm Beach, Fort Lauderdale area, where there is much more traffic—I noticed when I came up I-95 this morning, I wish I had been back in Everglades City when I got in the traffic. I am not used to that kind of traffic. So I can well see it can be covered up in the heavier populated areas much more so than it is in ours.

Mr. LEWIS. How long have you been in Everglades City?

Mr. ASKREN. Approximately 19 years.

Mr. LEWIS. Eighteen, nineteen years ago would you have felt this problem would have existed in Everglades City?

Mr. ASKREN. No way. I came there from Fort Lauderdale. I spent about 30-some years in Fort Lauderdale.

Mr. LEWIS. Did you over a period of time find what drug trafficking in south Florida has done to your community? The committee would be interested in knowing a little bit about that.

Mr. ASKREN. Well, I don't know how it became involved. I think there is a little history in Everglades City possibly you are not all aware of.

It is an isolated area, about 42 miles from Naples, about 80-some miles from Miami. Back in the turn of the century there was no roads in there. You had to get in there by boat. People who settled that area were, I would say, maybe rebels, outlaw type people. We still have generation after generation that stayed there. Those people don't move out too much. Even the young people, they leave, they come back.

I know what it is, because it is a nice place to live. The drug trafficking is really making it a bad place. I am real upset about it. I think that we have to dry up the purchasers, the users of these drugs. We spend all kinds of money chasing them up and down the coast, but we don't seem to be accomplishing anything right now.

Mr. LEWIS. Are you satisfied that our laws are specific enough as far as apprehension of drug traffickers, and also the penalties that are handed out to drug traffickers?

Mr. ASKREN. No, I don't think the penalties are severe enough. I think law enforcement is doing all they can with the laws on the books. But there are so many loopholes in them. These guys get out of jail before the officers can get the paperwork done. They get their hands slapped, go out on appeal, run loose, run more drugs, before they get back up for sentencing.

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. RANGEL. We get the impression, Mr. Mayor, that the temptation for the large sums of money involved in narcotics has been a major problem with some of your hard working and legitimate citizens, that they have succumbed to this pressure.

In your years in office, have you seen good hard-working people turn to criminal activity because of the moneys involved here?

Mr. Askren. Yes. I have seen many people that probably could not buy a $200 pickup 5 or 6 years ago, and they come out with this big money. It is a temptation to them. It made outlaws out of a lot of good citizens.

I don't want to make this look bad for Everglades City, because we have had enough bad publicity in the past.

Mr. Rangel. You say that this is also coupled with the fact that those that are arrested and convicted don't appear to have long jail sentences, so the risk is comparatively low when you think of the large amounts of money involved.

Mr. Askren. They come back and flaunt it in your face, and I think they flaunt it in the law enforcement. They treat the average good citizen like they are second-class citizens.

Mr. Rangel. Are these regular town folks, or people who just come into town?

Mr. Askren. A lot of them have come into our town in the last 5 to 6 years. They have moved in there from other areas. I am not saying some of the local people have not been involved, because I know they have. I don't know it personally. I have no proof of it. It is obvious.

Mr. Rangel. From their changes in their style of living?

Mr. Askren. Yes, sir.

Mr. Rangel. Mr. Gilman?

Mr. Gilman. Mayor, what is the population of Everglades City?

Mr. Askren. Our last census was 534 people. Our community is possibly 5,000 people. But we take the publicity for the surrounding community as well as Everglades City.

Mr. Gilman. These 50 people that have been arrested and charged with narcotics trafficking in the last 2 years, are they mostly residents within the city, are they mostly local people?

Mr. Askren. This Operation Everglades that happened in July, that I think you are all well aware of, I think there were three people that were citizens of Everglades City per se.

Mr. Gilman. I noticed in the reports on the major areas, seizures of 450,000 pounds of marihuana, worth almost $200 million, and the confiscation of some 39 boats, 3 airplanes, 21 vehicles. I guess they said they can seize 80 more boats in that operation, all in the Village of Everglades, or Everglades City—it is a city municipality?

Mr. Askren. Yes.

Mr. Gilman. One of the agents contended "I think some people were upset about what was going on and I think people wanted to come forward but until now they didn't know where to go."

Is there some truth to that?

Mr. Askren. I think that is a general feeling of people. They might have had something to say, but they didn't know who to talk to.

Mr. Gilman. Why is that? With all of the law enforcement, the local, State, Federal officials involved, why wouldn't they know where to go to complain about drug smuggling operations?

Mr. Askren. I think they have a fear of who they are talking to. I think people are living in fear today in south Florida.

Mr. Gilman. Do they fear talking to the local police officials in Everglades City?

Mr. Askren. I don't think today, but they have in the past.

Mr. GILMAN. Would they fear talking to the mayor or one of the State representatives about the problem? Did you reach out to get some help for your city and found it wasn't available?

Mr. ASKREN. I have talked to a few people. I haven't accomplished anything, let's put it that way.

Mr. GILMAN. Have you reached out to any of the Federal people and were denied assistance?

Mr. ASKREN. No, sir.

I am honored to be here today.

Mr. RANGEL What is it that you would want us to do to help you so that your town wouldn't be held hostage to the criminal element?

Mr. ASKREN. I wish I knew what the answer was. I think you are going to have to dry up the market. You can talk about the countries in South America raising these crops, but if there isn't anyone to buy them, they cannot sell them. I don't know whether it is an educational problem. I don't know the answer to the problem.

Mr. GILMAN. Mayor Askren, what makes Everglades City such a target for the drug smugglers?

Mr. ASKREN. Probably the geographic location I assume. We are surrounded by the Everglades National Park, very sparsely populated. The whole area is surrounded by a maze of islands, waterways, channels. I think you would probably have to ride through the 10,000 islands so you would be aware of what is going on, what the geographic situation is there. To an outsider, even an outside law enforcement officer, to get into that area without the knowledge of the land, it would be impossible for him to get through there.

Mr. GILMAN. Has drug trafficking slowed down since Operation Everglades?

Mr. ASKREN. Yes, sir, it certainly has. I don't know whether they moved someplace else, but as far as I know it has slowed down.

Mr. RANGEL. Do you feel the Federal presence or local law enforcement presence in the Everglades now or is it just a wide-open town?

Mr. ASKREN. No, it is not a wide-open town. I think our sheriff's department is doing a good job right now.

Mr. RANGEL. Is there a Coast Guard presence?

Mr. ASKREN. I have not noticed a Coast Guard presence. I am sure they are offshore. I have seen them offshore while I was fishing.

Mr. RANGEL. Do you have any educational programs where citizens of the Everglades, if they see crimes being committed or drug transactions or people being suspected, do they have anywhere to go with that information to give to law enforcement?

Mr. ASKREN. I think the law enforcement has tried to do a little educational work. I would like to see more of it myself. I would like to see it in the schools, I would like to see it wherever we can put it. People are aware of what is going on. But I think it is a matter of education.

Mr. RANGEL. Do I understand that some of the citizens may be concerned for their personal safety?

Mr. ASKREN. I don't think—really the people in Everglades City are not bad people. Some of them have turned to drug smuggling, I am sure of that from the obvious results of money being spent, but the average person, I would say 99 percent of the people are good, open and aboveboard citizens. We do have the same as anyplace else.

Mr. RANGEL. Anyone seeking recognition?

Mr. Shaw?

Mr. SHAW. Mr. Mayor, since the Operation Everglades, have you seen an impact on the economy of Everglades City?

Mr. ASKREN. Yes, the money has dried up considerably. The money was pretty loose for a while. But it has dried up. I hear the business people saying business is bad.

Mr. SHAW. Mr. Chairman, I know something of Everglades City. I am one of the annual tourists to your city that makes your population swell many times, for the seafood festival you have. It is a beautiful picturesque little city. It is pitiful you would have this type of problem. Unfortunately, the beauty and the natural resources of the city perhaps is what is more contributing to the problem which you have now with the hundreds of miles of waterways within just a few miles of city hall.

It is an incredible place, incredibly beautiful place. But I think what Everglades City is experiencing is a disproportionate problem. The drugs are making crooks out of honest people. I think the mayor is quite correct when he talks about the loopholes in the law and the problems in the law, of enforcing the law and mandatory jail sentencing is perhaps our greatest problem in law enforcement. The tremendous profits being made with almost certainty of not being caught is very tempting to a lot of people who otherwise would be honest, hard-working people.

Thank you.

Mr. GUARINI. Mayor, how long had this been going on—the common knowledge?

Mr. ASKREN. I would say it has been obvious for the past 5 years.

Mr. GUARINI. Nothing really had been done until the big bust occurred?

Mr. ASKREN. They picked up several drug traffickers. I don't know exactly how many. I don't have the report on that. But there has been several. As a matter of fact, there was one last week or 10 days ago.

Mr. GUARINI. Off-tourist season, was there a notable change in the type of population you had in town?

Mr. ASKREN. In off season you say? Yes, we have a lot of people I don't recognize. With 534 people, I believe I know practically every soul in the city limits of Everglades City.

Mr. GUARINI. Where did they seem to come from, when people came from outside? You say many came from outside. Were there very many foreigners in that group?

Mr. ASKREN. We get a few foreigners. You mean from overseas? We get a few foreigners. But most of them are tourists, the foreigners I see.

Mr. GUARINI. The people living in your town and now are participating in the drug business, were there very many foreigners that came into your town, or aliens, or were they mostly Americans from other places?

Mr. Askren. Mostly Americans, I would say, from the east coast, maybe the Keys. I don't really know where they are from. They come in there on the crab trap boats. I don't question where they come from. I have no reason to question them.

Mr. Guarini. I understand that most of the drugs in the bust came from Colombia and Jamaica and it consisted of marihuana principally, is that correct?

Mr. Askren. That is all I read in the newspaper.

Mr. Guarini. I wonder whether or not you have very many people from other countries that were aliens or alien residents or people from outside our borders?

Mr. Askren. Not to my knowledge, sir.

Mr. Guarini. All right. Thank you.

Mr. Rangel. Mr. Smith.

Mr. Smith. Thank you.

Mr. Mayor, how long have you been the mayor of Everglades City?

Mr. Askren. I have had two terms, 4 years.

Mr. Smith. So that to some degree you are in position to know everybody in the last 6 years, during the period of time this was growing.

Do you have real estate brokers in the town?

Mr. Askren. Yes, sir.

Mr. Smith. Did you ever have any conversations with them, talk to them, just shooting the breeze, over a coke or a coffee, whether or not they indicated that anybody was coming in and buying up property that was a little bit unusual over their previous experience in terms of people who would come in and buy property in Everglades City or renting property?

Mr. Askren. I have not talked to the real estate salesmen about it. It is very obvious about the real estate sales going on.

Mr. Smith. So you knew in effect there was an increased activity in real estate transactions in Everglades City?

Mr. Askren. Yes, sir.

Mr. Smith. These kinds of activities, in a city like yours, stand out pretty much, and it gives us an indication that people involved in this are rather bold. They don't really care. They are kind of up front about it. They don't take great pains to hide what they are doing.

Did you ever ask local law enforcement, either the Collier County Sheriff's Department or the Florida Department of Law Enforcement agent in Miami, or in Naples, any of those, for help, and were turned down?

Mr. Askren. No, sir, I wasn't turned down by anyone for the simple reason I said that I was a little dubious sometimes of even bringing the subject up.

Mr. Smith. Why is that?

Mr. Askren. Well, it is an undermining feeling that I have. I don't know what it is, Mr. Smith.

Mr. Smith. I guess you have a lot of friends in the town and you are afraid you are going to find some of your good friends maybe are doing things you don't approve of.

Mr. Askren. When you know someone for 20 years, and maybe it is obvious to me, it might not be obvious to someone else, I don't know, but for me to put my finger on the man and say, "You are smuggling," I cannot do that. You know what my feeling is.

Mr. SMITH. Yes, sir. There are a lot of towns like yours around this area that are at risk. And that is one of the problems. We really need the cooperation of the good people in this area to make sure that that does not flourish, only because people are afraid or embarrassed or just by virtue of their associations don't want to get into this kind of thing because they are afraid they are going to find out some of their friends are doing things they would not do.

That is the problem we have. That is why local law enforcement finds it so difficult sometimes. It is citizen involvement that is one of the keys to this issue.

You talk about drying up the market. If we get citizen involvement in the first instance relating to law enforcement agents, when people come in and offer them cash for pieces of property that have been on the market for years that nobody wanted and all of a sudden become very, very desirable, or when people around schools, teachers and kids, find there are people selling drugs, even the most minimal kinds of sales, if people would talk, it would be much easier for us.

I guess in Everglades City you had the same kind of syndrome you have in other places, people are just hesitant to get involved.

Mr. ASKREN. I think there has been involvement. I would say 50 percent of the people in the Everglades City area are related in some way, shape, or form through blood or marriage. It is a tough area to be involved in.

Mr. SMITH. A final question.

Out of all of the drug arrests made from Operation Everglades, were there substantial numbers of citizens, residents, and I don't mean just the short-term ones, but any long-term residents that were arrested?

Mr. ASKREN. I believe there were three.

Mr. SMITH. Would you say that the townspeople, the city residents are kind of relieved now that this has occurred and are grateful to the Federal Government and to the State and local law enforcement for the job they did in arresting these people, or are they resentful?

Mr. ASKREN. I am sure they are happy it happened to kind of clear the air. People in the area are a little bit upset for the way that it was put on. They felt—of course the people there don't feel they are bad people. And they come in there with 200 law officers, come in like gangbusters with the news media, with the coverage we got. I am not condemning the news media, because they have been pretty good to me. They have quoted me pretty well for what I have said. But a lot of people feel——

Mr. SMITH. Later on I hope you will tell us how you were able to accomplish that.

Mr. ASKREN. There has been a few of them puts words in my mouth that were not there, but most of them have been pretty fair about that. But a lot of the people over there feel they were unjustly attacked by the news media and maybe by the Government for being guilty through association. This is the way it was put over.

And I feel the same way. I feel I am guilty because I live there and know these people and talk to them. But I am not going to stick a gun up somebody's nose because I am suspicious of them. I am not that kind of person.

Mr. SMITH. Do you think if some people would have been informed that this operation was about to be done that it might have been less successful?

Mr. ASKREN. I don't know if it had been any less successful, no. I have heard comments that the law enforcement came in there unjustly and drew guns on people. But I told them myself personally, I don't care who knows it, if I was a law enforcement officer and had indictments against those people, I would have a gun up their ear, too. I cannot blame them for it.

Mr. GUARINI. Just briefly—as a result of all the money that has been thrown around and was involved in this town in the 5 years, there seemed to be some kind of common knowledge there were traffickers and distributors in your town, what has it done to the political process?

Did any of this money enter the political process? Were there any undue influences by these people, was there an attempt made by them to get involved in political control?

Mr. ASKREN. Not to my knowledge. They never approached me. As far as I know they never approached any of the councilmen.

Mr. SMITH. Did they back any particular people involved in Government at all?

Mr. ASKREN. Not to my knowledge.

Mr. SMITH. In other words, no attempt was made whatsoever in the county or in the city for any of this money to try to take over or involve itself in the political process?

Mr. ASKREN. They might have in the county.

Mr. SMITH. It was never a public issue?

Mr. ASKREN. No, sir.

Mr. SMITH. And last, did people in your town that were involved have a large incidence of becoming victimized by this? By that I mean not just in the business, but they became users of the drugs. Was there an increase in use of the drugs amongst your townspeople?

Mr. ASKREN. I cannot see too much evidence of drugs being used in Everglades. There are some of the young people, the same as in any other area, I think, that are involved in using drugs.

Mr. SMITH. In other words, what you are saying is that there was no increased incidence in the use of drugs. It was strictly a business amongst the distributors and the traffickers?

Mr. ASKREN. Yes, sir, I believe that.

Mr. GUARINI. Thank you.

Mr. RANGEL. Mr. Feighan?

Mr. FEIGHAN. I have no questions at this time.

Mr. RANGEL. Mr. Mayor, this is really a sad day. So many of the things we have seen overseas are capturing some of our most respectable cities. It is abundantly clear from your testimony that most of the residents of the town consider trafficking as a way of life, and they are indignant when even the Federal Government tends to stick its law enforcement nose in what is now the town's business.

You have a very difficult job, especially one that relates to education, as you said. Because when there is no respect for the law or when the citizens really believe what they are doing is just making a buck one way or another, it is really sad. I hope it is not contagious.

We are here to help you. Some Members of the Congress on this committee are more familiar with your problem than I am as the chairman of this committee. And we want to help. We just hope this attitude doesn't spread on our other major cities. I hope you might find some way to share with us what we can do, so you can have a little more respect, dignity, and honor for the town which you are privileged to represent.

Thank you for your testimony.

Mr. ASKREN. Yes, sir. I thank you, sir.

Mr. RANGEL. Jon Thomas, Deputy Assistant Secretary of State is with us to testify today, more specifically from the Bureau of International Narcotics Matters.

Mr. Thomas, we want to thank the State Department for the detailed background of the policies and programs.

He will be joined by the U.S. attorney, Stanley Marcus, formerly from New York, who is now with the southern district of Florida; Rear Adm. Donald Thompson, commander of the 7 Coast Guard District; Mr. Peter Gruden, from the Drug Enforcement Administration, the special agent in charge of the Miami division; Mr. Robert N. Battard, the regional commissioner of the U.S. Customs Service, of the southeast region; and Mr. Joseph Corless, special agent in charge, Miami division, Federal Bureau of Investigation.

All of the witnesses have provided the committee with a very detailed statement. We want you to know those entire statements will be placed in the record as presented to this committee.

In an effort to make certain we have the maximum exchange between the members of this committee, we would ask you to summarize your testimony, to highlight your testimony, and to try to give it in such a way that we may be asking questions that could benefit your mission here.

I would like to say, collectively, this committee is not in this part of the country to be critical or embarrass you in the work you are doing. We are here as a part of that support team. And we say that to set the atmosphere. It is difficult for us to understand how with increasing resources in battling drug enforcement on the international as well as domestic field that we find ever-increasing amount of drugs coming into the country.

In order for us to be doing some of the things that you want us to do, we will be dependent on the candidness of your statements given to us this morning.

On behalf of the full committee, we thank you for the job you have done and we hope that you tell us how we can help in doing a more effective job.

Mr. Thomas.

TESTIMONY OF JON R. THOMAS, DEPUTY ASSISTANT SECRETARY OF STATE, BUREAU OF INTERNATIONAL NARCOTICS MATTERS

Mr. THOMAS. Thank you very much.

Mr. Chairman, Congressmen, the Select Committee on Narcotics Abuse and Control has requested that the Bureau of International

Narcotics Matters provide information on its role in controlling narcotics production and trafficking in Latin America, with emphasis on the effect those programs have on interrupting the flow of drugs into the United States, especially through south Florida, and an assessment of the status of its programs.

We have provided a detailed background statement on department policies and programs for Latin America, including Mexico, Central and South America, and the Caribbean. In this testimony, I will summarize those policies and programs. However, first, on behalf of Assistant Secretary Dominick DiCarlo and the Department of State, I would like to both thank and commend this committee for your efforts during the recent trip members of this committee made to key narcotics-producing countries in Latin America.

The visits to these countries and the discussions you held with Government leaders while there were valuable in providing another demonstration of the degree of commitment and resolve of our Government to reduce the supply of illicit narcotics, and our interest in assisting those Governments work toward that goal.

Your trip was a physically trying one. You went to the source of drug cultivation in Latin American countries which is usually in remote, mountainous jungle areas. I assure you that from our perspective, your efforts were worth the difficulties.

In terms of resources, reducing the flow of narcotics from Latin America is the Bureau's highest priority. We propose to allocate about $30 million, or 57 percent, of our requested fiscal year 1984 budget to Latin America, with emphasis on crop control. Latin America is the single source of cocaine, the primary source of imported marihuana, and as of 1981, the source of about 36 percent of our heroin imports. The Bureau's primary objective is to reduce imports of illicit narcotics by assisting Governments in controlling production—particularly the Governments of Mexico, Colombia, Peru, and Bolivia.

We recognize that obstacles to achieving control over the supply of illicit drugs are abundant in Latin America. Government efficiency, integrity, political will and the capability of controlling narcotics trafficking vary significantly from country to country in Latin America, as does the degree of cooperation with the United States.

The range of impediments to effective U.S. antinarcotics assistance in producing and transit countries include: frequent changes in Government; dependency of local populations on cultivation and trafficking for their income; indifference to U.S. interests; a belief that drug abuse is a U.S. problem created by U.S. demand; demands that we virtually reconstruct local economies in order to achieve narcotics control and enforcement cooperation; widespread official corruption; and occasionally even direct Government involvement in the narcotics trade, such as we saw in Bolivia a few years ago under the Garcia Meza regime.

However, there are also reasons for these Governments to act, including concerns over economic distortions caused by the drug trade, increasing domestic-drug-abuse problems, corruption of public institutions by drug traffickers, international pressure, and the suppression of insurgencies that may be linked to narcotics trafficking. This interplay of incentives and disincentives often defines our opportunities for action.

Under the Single Convention of Narcotic Drugs, producer and transit nations like Peru, Bolivia, and Colombia have the primary responsibility for controlling coca, and its derivatives, and marihuana within their borders. These countries, like narcotics producers in other regions, should be assisted, where needed and appropriate, in meeting these responsibilities. But we expect these Governments to demonstrate their responsibilities through commitments to effective programs. We encourage other donor nations, development banks, and international agencies to adopt the same policies.

The factors affecting decisions on assistance to countries include: current narcotics crop production; new and potential sources of cultivation; proximity to production source; domestic capability and will to control trafficking; interdiction potential; and, appropriate roles for the U.S. agencies.

Fundamental, of course, is a Government's request for cooperative assistance by the United States and their willingness to make a firm commitment to a narcotics control program. Our assessment of Latin America, therefore, takes into consideration the fact that our efforts can only be as effective as the commitment and programs of the Governments with which we collaborate.

Colombia, in 1981, produced about 86 percent of U.S.-consumed marihuana imports, and exported up to 75 percent of U.S.-consumed cocaine, and has been the major transit point for methaqualone entering the United States.

Our fiscal year 1984 Colombia program request of $8,945,000 is based on our goal of successfully negotiating a marihuana eradication program and an expanded coca control program.

Mr. RANGEL. Excuse me. I don't know whether we found any evidence of an effective eradication program when we were in Colombia. This was subject to a lot of exchanges between the President and the Foreign Minister. And we had hoped that there would be some clarification as to what had actually been agreed upon.

Does your statement go beyond the December 21, 1982, time period?

Mr. THOMAS. Since December 1982, when our environmental impact statement was published, which enables us to support Western Hemispheric nations in the use of paraquat against cannabis, we have been discussing and negotiating various narcotics-control programs with the Government of Colombia. And although the Government of Colombia has not yet made a decision or whether to move ahead with an eradication program using herbicides, they have been manually eradicating marihuana and coca within that country.

We would, of course, hope and want the Government of Colombia to enter into a major and comprehensive crop control program using herbicides which we have found to be the most effective means of controlling narcotics throughout the world.

Mr. RANGEL. With the consent of the committee, we are going to put your summary in the record and hope you might highlight those parts of your testimony that would deal with occurrences after we left those countries because I notice you are dealing in your statement with Mexico, Latin America, and the Caribbean. And I think most of the members here know where we left that.

If there is anything new you can bring to our attention, we certainly would appreciate it.

Mr. THOMAS. I would certainly like to highlight, although it happened just before your arrival, our recent agreements in Bolivia.

On August 11, 1983, we signed four program agreements with the Government of Bolivia which committed to reducing the production of coca to levels of legitimate need in 5 years. Bolivian coca is the source of about 50 percent of U.S. cocaine imports. The initial goal is to reduce coca cultivation in the Chapare region by 4,000 hectares during the first two 2 of the project. This will be accomplished by both voluntary and mandatory eradication of illicit coca fields.

In Peru, since your recent visit, we have finally begun to see some progress in coca eradication. We have a goal this year of approximate 1,200 hectares destruction of coca fields, some 500 to 600 hectares have been destroyed in the last couple of months, and we would hope that with the increased commitment and willingness on the part of the Government of Peru that we would begin to see very significant coca reduction in place in that country.

In Mexico, which as you know, we feel to be our most successful crop eradication program in the world, we believe that the ongoing permanent campaign, as the Government of Mexico calls it, has been very effective in limiting and containing the amount of narcotics drugs that flow from that country into the United States.

Since your visit, perhaps to highlight the overall commitment by the Mexican Government, the Mexican Government once again has assisted its neighboring country, Belize, which has an increasingly difficult marihuana production problem, in eradicating that crop. At this very moment, the Government of Mexico is spraying cannabis crops in the country of Belize with paraquat. And we believe through those cooperative efforts, we will effectively eliminate the possibility of Belize becoming yet another source country for cannabis.

While our international narcotics control policy emphasizes crop control, we also support interdiction and other enforcement activities. We encourage and support interdiction efforts by governments in the Caribbean and Central America through diplomatic initiatives, direct assistance, and training.

The Bureau's role in controlling the flow of illicit narcotics in Latin America is an integral part of a broader, well-coordinated Federal strategy in the region. The Federal Strategy for Prevention of Drug Abuse and Drug Trafficking, announced by President Reagan in October 1982, outlined the role of international cooperation as part of this overall strategy of narcotics production control, interdiction, and enforcement and demand reduction.

When Vice President Bush announced the creation of the South Florida Task Force in February 1982, he assigned the Department of State the specific role of negotiating and implementing crop control agreements with Colombia, Peru, and Bolivia to reduce the supply of narcotics destined for the United States. In addition, the Bureau works closely on a routine basis with the U.S. Coast Guard, U.S. Customs, National Narcotics Border Interdiction System, DEA, and others to coordinate activities in the region.

We certainly work closely with many of those sitting at this table today.

Examples of this include initiating discussions between the Mexican Navy and U.S. Coast Guard to improve cooperation in and around the Yucatan Channel, Bureau-funded programs with the Haitian Navy to interdict narcotics trafficking in coordination with the U.S. Coast Guard in the Windward Passage, and projected INM-provided communications equipment for the Bahamas to support Operation BAT.

I believe that highlights the summary statement, Mr. Chairman. If you would need any additional information on those areas, I would be glad to answer your questions.

[The prepared statement of Mr. Thomas appears on p. 108.]

Mr. RANGEL. We are going to reserve our questions until we hear from the panel.

The U.S. Attorney, Stanley Marcus, from this district; Mr. Marcus, as I said, your full testimony will be in the record. We are concerned with the kind of cases you are prosecuting, your staff, arrests and convictions, the caseload, what progress is being made.

TESTIMONY OF STANLEY MARCUS, U.S. ATTORNEY, SOUTHERN DISTRICT OF FLORIDA

Mr. MARCUS. Mr. Chairman and members of the select committee, I want to thank you for inviting me to testify before this hearing regarding the current status of drug trafficking through south Florida, and to summarize many of the Federal law enforcement efforts which have been undertaken in the last 18 months roughly in this district, to address this grievously serious problem.

It has been said many times but remains true today that south Florida is faced with a crime problem that is, I believe, truly unique. There are elements of the crime profile in other large cities. But collectively, the elements in south Florida add up to a truly unique crime problem.

Upon becoming the U.S. attorney for this district some 18 months ago, I discovered, although it really wasn't very difficult to discover, what everyone in this room surely knows and has known for many years, and that is that the most serious Federal crime problem in this district was and remains the drug problem. Over the last 10 years or so, Miami had become, south Florida had become the main point of entry for perhaps 75 percent of all of the cocaine and marihuana and methaqualone smuggled into this country.

It was in south Florida that much of the criminal wholesale transactions of America's drug trade took place. The nature of the problem, as you well know, is staggering.

The statistical base is clear. The quantities of marihuana, cocaine, Methaqualone, entering this country is enormous. The impact on the quality of life is real. The real cost of drug smuggling and addiction in this country is staggering. It is equally clear that south Florida has been and continues to be a main arena in the battle against drugs. The estimated cash exchange generated last year by illicit wholesale transactions involving narcotics runs into tens of billions of dollars, billions that must be laundered through various institutions of finance and commerce and converted into noncash assets.

In either case, businesses have been drawn into collaboration with or in some instances outright domination by the drug moguls. The administration's response to this unique and staggering national problem, much of which has been centered in south Florida, has been a massive, indeed an unprecedented buildup in the deployment of personnel and other resources, both investigative and prosecutive, over more than the last 20 months.

Since the early spring of 1982, the south Florida Task Force, under the permanent supervision of the Vice President of the United States, has brought together the resources of a number of distinct departments and agencies including Justice, State, Transportation, Treasury, and Defense. Hundreds of new agents have been brought into the battle, including scores of new agents assigned to the DEA and FBI, Customs Service, Bureau of Alcohol, Tobacco and Firearms, numerous new Coast Guard ships have been deployed, numerous new radar pieces of equipment have been deployed at the same time.

In addition, the Department of Justice at the direction of the Attorney General, has substantially increased prosecutive resources and has stepped up the investigation and prosecution of major international cartels and domestic organizations. We have additionally increased the focus upon the laundering of these billions of dollars in narcotics assets. We have placed additional emphasis on the forfeiture of assets, where those assets are directly related to the narcotics business, and we have addressed the critical link between violent crime and homicide and narcotics, specifically in this district.

Some of the results to date, both positive and negative, I think, would include the following.

First, starting from the prosecutor's perspective, criminal case filings in the southern district of Florida during the life of this task force and during the life of this effort have increased dramatically. By example, for the 12-month period ending June 30, 1982, 842 cases were filed. These are basically felony indictments or felony informations. For the year ending June 30, 1983, that is to say comparing 1982 with 1983, there were 1,231 filings, a gain of almost 50 percent. Indeed, that represents more felony filings, more felony charges than were filed in any other Federal district in the United States, including districts with substantially greater population centers than south Florida, such as New York, Chicago or Los Angeles.

The magnitude of the problem in south Florida is perhaps best seen by a brief statement of the number of defendants charged in this district really in the period of time comprehended by much of the life of this task force. That is to say, for the period ending June 30, 1983, charges were brought against 2,318 defendants, most of which, I should add, were felony charges because we have an agreement with the States attorneys of Dade County which removed most small marihuana misdemeanor cases from the Federal system entirely.

Mr. GILMAN. What portion of these were narcotics cases?

Mr. MARCUS. I would say that the narcotics cases represent better than 50 percent of all the criminal cases in the filing, and if you add into that list cases that are not charged as narcotics cases but involve narcotics cartels, for example, a money laundering case wouldn't be a dope charge, but it will involve a cartel or a corruption case or a case involving violent crime and homicide and firearms violations, the percentage is probably closer to 60 percent of the total filings.

The results of the increased Federal commitment can also be seen in the seizures of contraband since the creation of the task force. In a 16-month period ending June 30 of 1983, more than 1,300 seizures were effected. The quantities of cocaine, marihuana, and Methaqualone seized thus far exceed any seizures in any other region of the United States over any period in our history.

More than 11,500 pounds of pure cocaine have been seized, almost 3 million pounds of marihuana, and something in the range of 10 million dosage units of Methaqualone. Additionally, again, by statistical reference, our records indicate that the forfeiture of narcotics assets are up very substantially in the region.

I should point out as this committee knows, these are dollars forfeited into the general Treasury of the United States. For the fiscal year 1982, and again I portray these figures by way of comparison for the committee, the U.S. attorney's office in the southern district of Florida forfeited to the United States a sum in excess of $13 million. That represents an increase of 300 percent over the prior year. If you compare that with 1983, in this year, our records indicate more than $20 million has been forfeited, representing perhaps more than 50 percent of all the forfeitures of assets taking place in any and all of the 94 Federal judicial districts in this country.

Our prosecutive strategy, put as simply as I can put it, is to try and come at the drug problem at each of its point of vulnerability. There are, I think, seven overlapping parts to the package for better or for worse. The first is a new and expanded interdiction effort. The second, increased efforts to identify, penetrate and prosecute major cartels, the major narcotics organizations, domestic and international.

The third part is an increased an unparalleled effort to target, penetrate and prosecute the major money laundering enterprises which are the flip side of the narcotics coin and which enable the foreign cartels to launder and remove literally billions of dollars from this country and indeed from this district and region each year.

The fourth part has been an increased investigation and prosecution of foreign officials from source countries involved in the international chain of drug smuggling.

The fifth has been an effort to take some unprecedented steps in the area of violent crime, which we have found to be inextricably tied to the narcotics trade in this region.

Sixth has been the predictable partner of narcotics, and that is the brutally serious problem of official and political corruption which we find at all levels of government. And our efforts have included a stepped-up campaign to investigate and prosecute official and political corruption, especially where tied to the narcotics traffic.

Seventh and finally, part of the overall strategy has been, as I said, a quantum increase in the forfeiture of the narcotics dealers' assets. We are talking now about cars, planes, boats, real property and in many instances the cash that has been seized.

Mr. **Rangel**. Mr. Marcus, I would ask committee members that have concerns about these seven areas, each of which could be a hearing on its own, would familiarize themselves with that part they have concerns so we can come back and question you in a little more detail on that.

In an effort to make certain at least all of the panelist have a chance to give some part of their testimony, I ask whether you can pause here.

Mr. **Marcus**. At your pleasure, sir.

Mr. **Rangel**. Thank you.

[The prepared statement of Mr. Marcus appears on p. 111.]

Mr. **Rangel**. Admiral Thompson.

TESTIMONY OF REAR ADM. DONALD C. THOMPSON, COMMANDER, 7TH COAST GUARD DISTRICT, NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM, REGIONAL COORDINATOR

Admiral **Thompson**. Good morning, Mr. Chairman.

I am Rear Adm. Donald C. Thompson, commander of the 7th Coast Guard District. I am pleased to have this opportunity to provide information to you for this field hearing.

I assumed command of the seventh district in May 1982, and on June 17, 1983, also assumed the duties of coordinator of the Vice President's South Florida Task Force and coordinator of the southeast region of the national narcotics border interdiction system.

My prepared statement responds to your questions on the Coast Guard activities down here.

Let me just describe the geography briefly. The Coast Guard region is three States—South Carolina, Georgia, Florida and the Caribbean, 1.8 million square miles. We deal with some 24 sovereign counties around the Caribbean, including Cuba.

The resources I have to bring to bear on the problem are described in the testimony. We have had some additional aircraft and vessels placed under my operation and control from time to time. It might suffice to say in the last 3 years, the figures show that the operations of the medium endurance cutters down here, that is the real backbone of our Coast Guard fleet offshore, have patrolled one-third of the underway time the Coast Guard spends on all law enforcement throughout the Nation.

We are getting a large share of the underway time on our medium endurance cutters. Our operation down here provides about one-fourth of the total servicewide flight hours spent on law enforcement nationwide.

Our strategy is basically a choke point strategy. Sixty percent of the marihuana enters the country by sea each year. Sixty percent of what enters comes in a maritime mode. We are dealing here with Colombia, Jamaica, and recently a little Belizean production. We try to patrol the choke points, that is, the geographic advantage we have between Mexico and Cuba, between Cuba and Haiti, between the Dominican Republic and Puerto Rico, and east of Puerto Rico.

There are four passes there that we try to occupy full time. That is our primary employment of our larger cutters. We are after the mother ships as they come through there. We have to catch them before they come through and run their retail efforts along the coastline.

My statement will give you the statistics. For the years 1981 to 1982, the number of vessels and the number of arrests and the amount of marihuana has steadily increased. In the first 9 months of 1982, for example, we seized 1.8 million pounds of marihuana in 9 months. In 1982, that was more than we had seized in either 1980 or 1981. This year in the first 9 months, we have seized only 1.1 million pounds of marihuana. So we are seeing a decline in the amount of marihuana being interdicted, even though we have had the advent of the border interdiction system and the buildup of resources.

I think that is an indication and borne out by some of our intelligence that there is reduced traffic coming to this area, reduced maritime traffic. One reason perhaps to suggest this reduced maritime traffic is the traffickers recognize the increased risk down here, the street price is up which would suggest it is harder to get here. There is more homegrown marihuana appearing. Alternate routes are being used, and as far as transportation methods, there are more air drops. There is more attempt at concealing the cargo.

No longer are they brazenly carrying bales of marihuana on deck. They are now going into hidden compartments. We believe there was a relatively small winter harvest in 1982 to 1983.

But we are looking at two significant challenges now. One is the new traffic trends where the vessels have gone further to the east, eastern Caribbean, Middle Atlantic, New England States. We have reacted to that. But we cannot leave the choke points down here between the islands empty. We have to maintain our position there. We have counter surveillance against us on a daily basis to see where our units are. We have to maintain our visibility there for our deterrent effort to work.

The traffickers have shifted to larger vessels. To counter this, the National Border Interdiction System was created to help sort out the national problem and see what is going by us.

There are two areas that I would like to address. One of them, a really important part of our effort to coordinate activities down here, is the Interdiction Operations Information Center, started about a year ago under the south Florida task force. It is now a model for the rest of the country. There we maintain a picture of the available resources we have to bring to bear on the interdiction effort, we maintain a plot of suspect vessels, we try to match our resources against those targets. It is a multiagency operation, 24 hours a day, 7 days a week. It has been very successful.

To illustrate what the IOIC has done, I would like to relate an actual case scenario. The IOIC received information regarding a suspect vessel near the Bahamas. A nearby DEA aircraft was requested to investigate. That aircraft confirmed illicit activity. On this basis, a Coast Guard cutter was diverted. Before the cutter was able to arrive on scene, the DEA aircraft was forced to leave due to low fuel.

In order to maintain continuous surveillance, a USN aircraft was diverted and a customs aircraft launched to cover the gap before the USN aircraft got on the scene. When the cutter arrived, one vessel was seized with marihuana aboard and another load was discovered to have been transferred to a Bahamian island. Bahamian forces were alerted to investigate this stash, which they recovered.

It is an indication of what can be done when the agencies are located together, bringing together in one place the experience and the interests of all the agencies.

The other significant improvement is a new Interdiction Intelligence Coordination Center, again physically located next to the operation's center. Here we are bringing together the intelligence portions of all the law enforcement agencies involved in the drug interdiction business, including some national security intelligence, which would give us a much better handle on what is happening in the source countries.

I am happy to say Department of Defense involvement is getting stronger every day. That is alluded to in my prepared statement. We have had seizures of drug vessels by Coast Guard personnel operating on Navy platforms, Navy vessels. We have had authorized Navy vessels to fire into drug-laden vessels under the authority of the Coast Guard district commander. It has been a relative success story in terms of the cooperation from the services bringing to bear their resources but not degrading their national security and wartime readiness requirements.

I would just like to say that the Coast Guard has added some new surface effect ships down here in south Florida, three of them down in Key West. We have brought two additional 210-foot cutters, and are acquiring some eight new patrol boats. We have some Falcon jets added to our aviation inventory.

I would like to say between the professional case preparation of the U.S. attorney and the other agencies involved in preparing a case and the seizure methods that we are using, maritime interdiction, the prosecution rate of the marihuana cases involving Coast Guard activity has gone up to where it is 100 percent in 1983. These statistics are in my statement. And the conviction rate is up. There are fewer acquittals and sentencing is starting to increase a little bit. However, it is primarily as we track it, the stiffer sentences go to the principal actors, and the low-level deckhands are still receiving very light sentences.

Mr. Chairman, I think unless you have any questions later on the three hats that I wear, I would like to conclude by saying I think we are having an impact on the interdiction of marihuana, but we are certainly not crying victory. Until we get the consumer educated, tougher sentencing, severer penalties, the kinds of things mentioned here this morning, interdiction is surely not the only answer.

Thank you.

Mr. **Rangel**. Thank you, Admiral. We appreciate you summarizing your testimony because that will give us more time to get into the questions, especially with the three hats you wear.

[The prepared statement of Admiral Thompson appears on p. 118.]

Mr. RANGEL. From the Drug Enforcement Administration, we have with us the agent in charge of the Miami Division, Peter Gruden.

TESTIMONY OF PETER GRUDEN, SPECIAL AGENT-IN-CHARGE, MIAMI DIVISION, DRUG ENFORCEMENT ADMINISTRATION

Mr. GRUDEN. Thank you, Mr. Chairman, members of the Select Committee. I am pleased to appear before you today to discuss the Drug Enforcement Administration's efforts along with other Federal, State, and local authorities to combat the drug trafficking problem in south Florida.

I think it is appropriate that this committee has elected to conduct field hearings in south Florida, historically the point of entry for the majority of all the cocaine and marihuana entering the United States.

For a number of years now, Florida has been overwhelmed by the trafficking in drugs from South America and in particular Colombia. As Mr. Marcus pointed out a little bit earlier, we have seen this result in a growing intensity in other related criminal activities, ranging from simple petty thefts to drug-related homicides, to sophisticated money laundering operations which allow huge drug profits to be reinvested back into businesses and real estate holdings.

Oddly enough, a strong law enforcement presence cannot impact upon many of the factors which directly contribute to south Florida's prominence in the drug trade.

These factors include south Florida's close proximity to Colombia, making it well within the range of many small aircraft and vessels. Flat typography, which includes 8,000 miles of tidal coastline and the flat terrain throughout make it an ideal site for both air and maritime smugglers; a growing local Colombia population, some of whom have direct ties to major trafficking organizations in Colombia, and south Florida's growing prominence as a major international banking and commerce center with very close ties to South America.

The Miami Field Division of DEA is somewhat unique in that we have both domestic and foreign enforcement responsibilities. We have offices located in Kingston, Jamaica, Santa Domingo, the Dominican Republic, and Nassau, the Bahamas, as well as offices located in San Juan, P.R., and an additional nine offices located throughout the State of Florida. We also staff the elements of the Florida task group as well as NNBIS.

DEA has implemented a three-pronged attack on these problems. We emphasize the seizure or removal of as much of the illegal drugs as possible. Interdiction efforts, such as the south Florida task group, play a key role in removing huge amounts of drugs from this traffic. DEA's role in Operation BAT, working alongside of the Coast Guard, Customs, the U.S. Air Force, and Bahamian law enforcement officials, is an excellent example of the type of cooperation that exists between law enforcement agencies in this area. This integrated effort alone has resulted in over 118 arrests and the seizure of over 1,700 pounds of cocaine and 227,000 pounds of marihuana.

Third, and perhaps increasingly important, are the efforts we direct toward seizing large amounts of money and other assets that are a direct result of the drug traffic. DEA operations such as Swordfish and Everglades have been worked closely with the FBI and IRS respectively and have resulted in considerable information leading to the seizure of assets.

I believe that some progress has resulted from our enforcement efforts over the years.

But to be sure, not all the news is good news. This is especially true with respect to cocaine trafficking. It has been widely reported that as a result of a glut on the market in Colombia, prices in south Florida have dropped from $63,000 per kilogram to $28,000 per kilogram. Unfortunately, even in spite of record seizures, this is true.

Today, the trafficking in cocaine represents the most lucrative, persistent, and challenging problem facing drug enforcement agencies in south Florida. However, during the same period of time we have seen a significant reduction in the availability of all quantities of marihuana. Heroin addiction, which has reached epidemic proportions in other parts of the country, appears to have leveled off and even dropped slightly in south Florida. In Dade County alone, heroin deaths dropped from 70 in 1980 to 1 in 1982.

The key to our future success for all drug enforcement agencies would be to continue the high level of cooperation and the degree of coordination that exists at all levels today. We have already taken steps to do so, and I believe we will continue to lock arms and move forward in this effort.

We are very busy here in Florida. We appreciate the efforts of this committee, traveling down here and focusing attention on the problem here. We further appreciate your efforts to insure that we have the resources to do our job.

Thank you.

Mr. RANGEL. Thank you very much, Mr. Gruden.

[The prepared statement of Mr. Gruden appears on p. 125.]

Mr. RANGEL. The Customs Service, Mr. Battard.

TESTIMONY OF ROBERT N. BATTARD, REGIONAL COMMISSIONER, SOUTHEAST REGION, U.S. CUSTOMS SERVICE

Mr. BATTARD. Mr. Chairman, in the Southeast Region, and particularly in south Florida, the most harmful side effects of the narcotics industry are exposed on a daily basis as local news. It is this threat to the security of the American citizens in their homes that make our task at Customs so vital. It is our mission as the Nation's first line of defense to intercept the flow of narcotics into the country before its social and economic burdens can be felt.

We attempt to carry out our mission through the combined efforts of Customs inspectors, Customs patrol officers, and investigators. We have intensified our efforts throughout this region, and especially in south Florida, in the inspection and examination of cargo, passengers, private vessels, and private aircraft. We have permanent staffing assigned to the Vice President's task group and the NNBIS headquarter staff.

Our Customs patrol officers work on land, in the air, and along our coastline in an attempt to prevent the landing of contraband, primarily narcotics, to our shores.

The recent military assistance provided by the Defense Department has been of great help to Customs. Their assistance takes the form of loaned aircraft flown by Customs pilots and their participation in joint operations. The Army has loaned Customs Blackhawk and Cobra helicopters and will soon make available a C-12 tracker aircraft.

The Navy has supplied us with detection data from the E-2C Hawkeyes and has planned with Customs to loan us P-3's which will be used as Custom's-manned detection platforms. The Air Force has provided us with the use of E-3A AWACS, and their radar balloon facilities at Cudjoe Key and most recently at Patrick Air Force Base.

The sophisticated aircraft on loan from the Army and the radar facilities made available to us by the Air Force have been positive steps in the development of a strategy to strengthen our border defense against the smuggling threat.

We have had and continue to have a lot of smuggling take place in south Florida, alongside the importation of legitimate cargo. Customs has recently put emphasis on attempting to identify longshoremen and members of ground crews who facilitate and aid the smuggling of contraband by concealing from Customs arriving packages, containers, boxes, and suitcases which contain narcotics.

Basically, this is a short summary of the statement already presented to the committee and covers several areas that Customs is involved in as this Nation's border guard against smuggling.

Thank you, Mr. Chairman.

Mr. RANGEL. Thank you.

[The prepared statement of Mr. Battard appears on p. 131.]

Mr. RANGEL. Mr. Corless, of the Federal Bureau of Investigation, Miami Division.

TESTIMONY OF JOSEPH V. CORLESS, SPECIAL AGENT-IN-CHARGE, MIAMI DIVISION, FEDERAL BUREAU OF INVESTIGATION

Mr. CORLESS. Good morning, sir.

Mr. Chairman and members of the select committee, as you know, on January 28, 1982, the Attorney General delegated to the FBI concurrent jurisdiction with the DEA to investigate violations of the Comprehensive Drug Abuse Prevention and Control Act of 1970. Pursuant to this delegation, the FBI's Miami Division intensified its narcotics program by increasing manpower commitments and equipment to the investigation of narcotics cases.

Unlike many other field offices, however, the Miami Division had already committed resources to combat narcotics-related crimes even before the FBI was delegated concurrent jurisdiction. In 1978, the FBI and DEA embarked upon a joint investigative effort to identify major drug money launderers. In this regard, the FBI initiated a 2-year undercover operation code named BANCOSHARES in which we established a business through which profits of major narcotics cartels operating in south Florida were laundered.

During the course of this operation, the FBI laundered over $170 million in cash and reached into four major Colombian cartels. When the case surfaced, the FBI and DEA arrested approximately three dozen individuals, confiscated substantial narcotics and weapons, seized over $6 million in cash, $11 million in bank accounts, numerous planes, boats, and automobiles, and a 4,600-acre ranch valued at over $4 million. Unfortunately, but perhaps illustrative of the international flavor of the BANCOSHARES subjects, many principals who were indicted are now fugitives currently residing in Colombia.

Additional information was developed that a Miami-based group was a major narcotics distributor in south Florida with distribution outlets into the Southeast and Northeast regions of the United States. This group was responsible for the importation of over 100,000 pounds of marihuana and 500 kilos of cocaine per month. In 1982, based on our investigation, a Federal grand jury returned indictments against 70 individuals. Sixty persons, including the group's leader, have thus far been convicted. In the course of the investigation, over 55,000 pounds of marihuana valued in excess of $10 million was seized, along with homes, a ranch and vehicles. In fact, one of the group's members, was convicted of attempting to bribe an employee of the FBI as he was seeking information about this investigation.

In view of the expansion of our narcotics jurisdiction, Mr. Chairman, the FBI in Miami now has two narcotics squads consisting of 33 agents working nontraditional organized crime/narcotics investigations. In addition, we have approximately 30 other special agents assigned to two other traditional organized crime squads that are also involved in the investigation of narcotics-related matters on a full-time basis. Due to certain investigations now pending, we have approximately 23 additional support agents assigned to narcotics investigations full time. In all, therefore, the Miami offices has approximately 86 agents committed to the narcotics program.

We have found that the drug economy permeates throughout other crime programs. For instance, in July 1983, a Federal grand jury in Miami, based upon a joint FBI–DEA undercover operation code named Tradeoff, indicted 11 individuals, charging them with theft from interstate shipment. The curious aspect of this case was the fact that the items, stolen from tractor trailers traveling in interstate commerce, were traded for marihuana, cocaine, and Methaqualone. By the time operation Tradeoff culminated, the FBI and DEA seized over $7 million in narcotics and stolen merchandise.

Mr. Chairman, due to manpower limitations, the FBI-Miami has become selective in the type of cases we investigate. The cases being opened involve principal subjects who are associated with traditional organized crime figures, are public officials, or are members of a criminal organization that is so extensive that they have impact regionally or nationally. In short, we intend to concentrate our efforts on long-term complex investigations which are aimed at both attacking the management level of sophisticated drug cartels that make huge profits and tracing the financial flow of drug profits for seizure.

FBI drug investigations have not been limited to cocaine and marihuana rings. In March 1982, the Miami FBI located one of the largest clandestine Quaalude laboratories in the United States, seized over 3 million Methaqualone tablets and enough pure Methaqualone powder to produce over 5 million more tablets. Ten individuals were indicted and a pill press capable of producing 16 tablets per second was seized. From an examination of the Quaaludes seized, and Quaalude seizures in other parts of the country, it was determined that the pill press recovered was used in the manufacture of Quaaludes found in at least 40 other States.

In addition to initiating cases relating to narcotics activities, the Miami office of the FBI also has responsibility for investigating in south Florida numerous leads generated by other FBI field offices that handle drug cases. We found that a substantial portion of all drug deals involving cocaine and marihuana are negotiated and arranged here.

Mr. Chairman, as you are aware, the drug problem is one which is national in scope. In this regard, I should point out that the Miami FBI handles many cases for other field offices and since the advent of the Organized Crime Drug Enforcement Task Forces in other cities, we in Miami have handled almost 100 cases generated by the task force. Perhaps the impact of this increased activity can be appreciated by my citing one simple statistic. From January to July 1982, the Miami office conducted 9,646 record checks and resultant investigation. A large portion of these checks were requested by other field offices. For the same period in 1983, we conducted 17,635 checks.

Mr. Chairman, as you can see, the Miami office of the FBI has made a substantial commitment to the drug effort. Since we became involved in narcotics investigations, we have indicted over 190 major drug traffickers. We have also seized over $75 million in dangerous drugs, $80 million in cocaine, and marihuana valued in excess of $30 million. These amounts represent wholesale values. Further, the FBI has seized over $18 million in assets and property.

The FBI will continue to offer its support and resources to the DEA in the expectation that the skills and resources of both agencies will be used in a way that will maximize our impact on the illegal drug trade. The Miami FBI and DEA are now working 12 major joint investigations. Further, we are in constant contact with DEA regarding cases the FBI is independently working in order to insure that our efforts are not being duplicated.

We also maintain close liaison with components of the Vice President's South Florida Narcotics Task Force and the National Narcotics Border Interdiction System. As you know, Mr. Chairman, FBI investigations are not specifically directed toward the interdiction of narcotics, this being the primary responsibility of the U.S. Customs Service and the U.S. Coast Guard. However, we continue to disseminate drug-related information to other agencies on a daily basis.

One area we have had excellent success in has involved the dissemination of information provided to us by FBI informants. Since January 1982, such information disseminated to other Federal agencies has resulted in the identification of 193 drug subjects, 80 arrests, and seizure of over $38 million in drugs. Similarly, information provided to local agencies resulted in the identification of 51 subjects, 29 arrests, and seizures of nearly $35 million in narcotics.

In July 1983, two FBI agents were assigned to NNBIS on a full-time basis to carry out liaison functions. Thus far, the FBI has disseminated over 45 items of information of an interdiction nature to NNBIS and as a result substantial amounts of marihuana have been interdicted and seized.

Mr. Chairman, being a realist, I must confess, that the combined efforts of Federal, State and local law enforcement agencies are not the total solution to the drug problem. Besides the law enforcement efforts of the United States, it is important that we eliminate the cultivation and supply of drugs from source countries. There are just too many thousands and thousands of miles of territory that cannot be monitored to interdict drugs completely. By the same token, drug cartels and other organized crime enterprises are vast and have almost unlimited resources.

Another very important solution to the drug problem lies in the education of our population against the use of drugs, thereby reducing the demand for drugs. I firmly believe that without aggressive programs in this area, we will never see a real hope for lasting success.

Thank you.

[The prepared statement of Mr. Corless appears on p. 132.]

Mr. RANGEL. Thank you.

I am going to see whether or not, with the consent of the committee, we can establish some ground rules. We will have plenty of time to question the witnesses this morning. But if staff would assist me to trying to abide by the 5-minute rule, which would give us an opportunity to go around again, and also if the members would attempt to follow up perhaps with some questions that other members of our committee have asked, we might be able to alleviate some of the problems in following through.

I just want to point out to you gentlemen of the panel how much we respect and admire the work that you are doing with the resources that you have. We assume that you are familiar with the world situation as we have recently returned from Mexico, Latin America, and the Caribbean, and I don't know whether you were listening to the opening statement, but it is bad.

The worst thing about it is that there is no standard that we can understand as to whether or not these governments recognize that this epidemic is not one that is just hitting us. It has truly in fact corrupted their governments, their legislative bodies, their police force, their armies. It has reached a point that we come here to the Everglades, and you have heard the testimony of an outstanding public servant in saying that the intrusion of Federal law enforcement officers offended the good citizens of his town.

I submit to you that in talking with heads of state, we have a problem as to whether or not they realize they have a moral and international obligation to uphold the law or whether or not because of poverty, because of disease, because of seeking a better way of life, where the narcotics is just thought of as one way of getting a dollar and improving the quality of life.

Now, we in the Congress have thought that if we can make an effort in south Florida, that this might be some way for us in New York and in California to see how we can get a handle on it. And no matter how much resources we have put in this area, it has been our understanding that the amounts coming into the United States have increased, notwithstanding what the admiral has said about marihuana. We don't see why it could not increase, since in every country we visited, there have been record crops and lessening of the ability to interdict, and certainly more resources.

So it would not help us to tell us this morning that, My God, what it would have been if you were not there. We accept that. But it certainly is not going to help us if you say everything is going along all right, because we can't explain that to our constituents. We want to know about your caseload, we want to know about the areas you are unable to cover, we want to know how we can help. We don't want to get political, but this thing is not going to be resolved with comic books and TV shows. We need you people out there with the resources to work with.

So I will not ask any questions. We hope you will help us with something to take back to Washington.

At this time we will recess for 5 minutes.

[Recess.]

Mr. RANGEL. We thank the panel for their indulgence. If we can come back.

Mr. Gilman will lead the questioning.

We will follow the 5-minute rule and hopefully we will be able to have at least two rounds of questioning.

The chair yields to Mr. Gilman of New York.

Mr. GILMAN. Thank you, Mr. Chairman.

Gentlemen, we welcome the kind of testimony that you have presented to us and the time you are taking out of your schedules to be before us.

I am wondering how many times this distinguished panel gets together to review your cooperative efforts in attempting to combat narcotics in this area. Do you meet as a group? Is there some sort of informal arrangement where you get together periodically?

Mr. MARCUS. Congressman, we have regular meetings, generally on a monthly basis, involving the special agents in charge of the various Federal law enforcement agencies with the U.S. attorney, on a period basis, generally once a month.

In addition to that, less frequently, but as part of the Law Enforcement Coordinating Committee we have made efforts to meet with local authorities as well. But on a Federal level, the meetings may indeed be far more frequent than that. But that is sort of an institutionalized basis. We may meet with our counterparts, once, twice, maybe three times a week.

Mr. GILMAN. I don't mean meeting with them to discuss current cases, but to go over all policy and strategy and long-range planning. You do meet at least once a month, you say?

Mr. MARCUS. Yes, sir, the general meetings we are talking about discuss the issues of strategy. The admiral can also make reference to the meetings that he has called in connection with his coordination role for the Vice President's task force.

Mr. GILMAN. I am talking about the entire enforcement and interdiction effort. Are you all meeting together?

Admiral THOMPSON. Yes, we are, Mr. Gilman. While it is not necessarily on the first Tuesday of every month, it is more on an occasional basis. We meet to prepare our strategy and our tactics for the next series of operations that we are jointly conducting.

Mr. GILMAN. How occasional is it?

Admiral THOMPSON. It is more frequent than once a month some months, and it can be less frequent. We are together no less frequently than every 6 weeks. Almost on a daily basis we are in dialog between agencies on given operations.

Mr. GILMAN. That is on an operation underway. What about getting together on seeing how effective the overall strategy is, talking about long-range planning. Do you have to get together? Is there some mandate you get together periodically?

Admiral THOMPSON. Yes, there is. It is generally precipitated by a visit of somebody from the Vice President's staff—Admiral Murphy has been the coordinator.

Mr. GILMAN. If the admiral doesn't come down from Washington, there is no meeting?

Admiral THOMPSON. No; I didn't say that, sir.

Mr. GILMAN. That is what I am trying to find out.

Admiral THOMPSON. We have a principals meeting which meets between once a month and once every 6 weeks.

MR. RANGEL. I think the Admiral is stating there is just no set meetings set aside for the team, that they get together whenever they deem it necessary or whenever there are visits from Washington.

Admiral THOMPSON. But it is to review what has been happening and where we ought to apply our resources in the future, whether the strategy we have attempted is effective and whether we ought to shift, and what is happening to the opposition.

Mr. GILMAN. Does someone chair that kind of coordinating team? Who is in charge of that?

Admiral THOMPSON. Since June, I have been.

Mr. GILMAN. You are the chairman of that coordinating team?

Admiral THOMPSON. Yes, sir.

Mr. GILMAN. And you tie in with NNBIS.

Admiral THOMPSON. Yes, sir.

Mr. GILMAN. I thought you talked, Admiral, about the newly formed intelligence center in Miami, I guess it is—IOIC?

Admiral THOMPSON. It is the IICC. I hate to use the alphabet. There is an operations center which has been on line about 1 year.

Mr. GILMAN. How does that tie in with other intelligence centers?

Admiral THOMPSON. It taps the intelligence gathering capability of all the agencies that are represented there: FBI, DEA, Customs, border patrol, INS, Coast Guard.

Mr. GILMAN. What does that do that other intelligence centers have not been performing?

Admiral THOMPSON. Well, to address the threat here in the Southeast it brings together intelligence not only gathered here but from other regions that apply to cartels and syndicates and operating organizations down here, in the criminal element, that reach out to other parts of the country. It makes sure we are looking at the full picture.

Mr. GILMAN. Are you getting a good exchange of information from other intelligence centers?

Admiral THOMPSON. Yes, we are.

Mr. GILMAN. For example, EPIC.

Admiral THOMPSON. Yes, sir.

Mr. GILMAN. And from Washington?

Admiral THOMPSON. From Washington, from all the law enforcement agencies, data banks are being shared.

Mr. GILMAN. One of the criticisms we have been hearing is the inadequacy of our intelligence apparatus. Are you finding there is a need for further improvement? Do you feel you have an adequate supply of intelligence?

Admiral THOMPSON. I would like to see an improvement. I think all my colleagues would. I think there is a frustration we don't have enough intelligence. But I would like to think that the sharing and the coordination of the intelligence that is known is getting much, much better.

Mr. GILMAN. What would you like to see by way of improved intelligence?

Admiral THOMPSON. I would like to have a confidential informant on every street corner. I would like to have more information so we could do more than react.

Mr. GILMAN. Mr. Marcus, with regard to seizures, page 16 of your testimony, making an addition of the amount of seizures in the last 3 years, it seems there is about $300 million involved, including the civil penalties, property seizures, and taxes. In that 3-year period, roughly how much of the $300 million has been expended in this area with regard to drug enforcement?

Mr. MARCUS. I think the figures were in the range of $20 to $40 million, rather than $300 million. Perhaps there is a typo in there.

Mr. GILMAN. You are talking about jeopardy tax assessments totaling over $114 million alone, in addition to the $33 million in currency seized and property of $3 million, civil penalties of $33 million, bond for forfeitures of $60 million.

My quick computation makes that add up to close to $300 million.

Mr. MARCUS. To answer your question specifically, as to the total cost which I think is what your question is getting at, of the entire Federal law enforcement effort, the Vice President's task force, the increased resources, DEA, FBI, Coast Guard ships, I am not in a position to give you an answer to that question.

Mr. GILMAN. It would sound to me like it is somewhat less than the amount seized and the amount taken in by way of penalty.

Mr. MARCUS. I think a substantial percentage of the costs have been covered by it. But if I had to estimate, my suspicion is that the expenses have been equally substantial. But I just don't know.

Mr. GILMAN. There is a great deal of criticism about the administration's talking about Cuban involvement in narcotics. I note on page 17 of your testimony that you explore extensively the amount of involvement by Cuban officials. Having investigated that, do you feel there was a substantial involvement by the government of Cuba in narcotics trafficking?

Mr. MARCUS. Yes, sir, I did. I think that the evidence that arose in connection with that investiation and the prosecution that followed in Miami made quite evident the involvement of significant ranking officials in the Cuban Government.

Mr. GILMAN. How high do those officials go in the government?

Mr. MARCUS. It went up into the Central Committee of the Communist Party. It included at least two members of that Central Committee of the Communist Party of Cuba. It included the Cuban Ambassador to Colombia, named as a defendant in the case. The Minister Counsel of the Cuban Embassy to Colombia, that is like the No. 2 man in the Cuban Embassy to Colombia. It included the vice admiral of the Cuban Navy. And it included a member of the Central Committee who was also President of the Cuban Friendship Committee. I would say it went very, very high up into the ranks of the Cuban Government.

I should add that the evidence that was developed indicated that the flow of narcotics that we are talking about here was not a single discrete one-shot deal. Rather it included a substantial quantity of narcotics, smuggled basically from Colombia to the United States, through Cuba, where boats were off-loaded in Cuban waters and Cuban ships provided protection and so on. I would say it went very high up into the Cuban Government.

Mr. GILMAN. And this resulted in a number of indictments against Cuban officials?

Mr. MARCUS. Yes.

Mr. GILMAN. You say there were indictments also against Bolivian officials and other government officials. And yet you have not been able to extradite any of the governmental officials.

Mr. MARCUS. With regard to the Cubans, we have not seen one of them. With regard to the defendants indicted in the Bolivian case, including Colonel Gomez, we are in the process of attempting to extradite him. But to date, we have not extradited a single defendant in either of those two cases.

Mr. GILMAN. So there has been no extradition of any governmental official of a foreign nation in any of your narcotics indictments.

Mr. MARCUS. In the last 18 months, I would say that is a correct statement.

Mr. GILMAN. Has that been because of the opposition of the host government?

Mr. MARCUS. Well, I am not sure that I can speak for them. I can tell you in a number of instances we have sought the extradition of defendants in major narcotics cases from a number of governments, including principally Colombia, where we indicted a substantial number of defendants in an extensive DEA operation called Swordfish. We have many extradition requests pending with the Colombian Government. They have been pending there for some time. We have met with them. They have received the evidence we have. To date, we have not extradited a single Colombian.

Mr. GILMAN. That is not because of the absence of any treaty or agreement.

Mr. **Marcus**. There is a treaty with the Colombian Government, and with Bolivia, although the terms are a little different technically. We have sought the extradition.

Mr. **Gilman**. Just a matter of lack of cooperation of the governments.

Mr. **Marcus**. We have not yet received a single defendant extradited.

Mr. **Gilman**. Thank you, Mr. Chairman.

Mr. **Rangel**. Mr. Guarini.

Mr. **Guarini**. Thank you, Mr. Chairman.

As I understand, the Vice President works as the overall head of NNBIS. Does he work directly with you at all? Do you just report to him? Is there a personal contact in the way that the mechanism is being handled with the task force?

Admiral **Thompson**. He has been down to visit several times to review the progress in our interdiction operation center. I deal with his chief of staff, Adm. Dan Murphy, on a regular basis. Of course, we do it through correspondence as well. But it is coordinated.

Mr. **Guarini**. Admiral, what I am getting at is that in view of your experience, concerning the South Florida Task Force, do you believe it would be more effective if we had a single high-level officer that was in charge of the entire operation of our war against narcotics?

Admiral **Thompson**. I don't hold that view, no, sir.

Mr. **Guarini**. Do you think that we should continue to operate as segmented, fragmented bodies in addressing our narcotic problem? We have the FBI, DEA, U.S. Customs and others involved. Do you feel there is any duplication at all and waste of energy and moneys?

Admiral **Thompson**. I wouldn't characterize the cooperative arrangement here as segmented and fragmented. I would say that on occasion, there may be some overlap. I am not sure that is not healthy. I think it is the gaps that I would worry about more than the overlap. Each agency has additional responsibilities beyond drug interdiction, which is the charter of the border interdiction system. For example, in my own agency, search and rescue, other forms of law enforcement, pollution, aids to navigation, a whole gambit of responsibiities.

Mr. **Rangel**. If the gentleman would yield, Admiral, that is the problem. We don't want to take away from your other responsibilities. We want to find out who is in charge of developing a strategy to combat drugs, what one person can we go to, and not to have that person talk about the other constitutional and legal strategies.

And Mr. Guarini does not mean to be critical of your effort. Each of us has to report to somebody differently. And we try to report to half a dozen different chiefs. We want to find out who sits around and says what the government should be doing about this, and instead of you struggling to see what resources are going to trickle down so that you can use it, we want one person to say what you need to effectively deal with the problem.

Get a boat or two boats, you thank the Navy, you thank the Air Force, you wait for a judge or two, somebody else is waiting for DEA agents. And you have a responsibility to get promoted in what you have been trained to do. So we are not being critical that you have other missions. We do hope that some consideration might be given of having somebody that could develop the strategy and throw the ball in our court, if we don't get the resources.

But each one of you, it seems to me, is scraping to get as much as you can from other agencies to do a better job. It shouldn't be that way.

I am sorry, Mr. Guarini.

Mr. GUARINI. Thank you, Mr. Chairman.

In talking about a national strategy, of course, you are involved in law enforcement. That is only one segment of the drug problem. Now, of course, you recognize that there are other segments, such as education and health and there are various thrusts that make the entire package. Don't you feel that there is an absence of a national strategy in our country today?

Admiral THOMPSON. I cannot speak to whether there is an absence or not. I am aware there is a Cabinet Council that deals across the spectrum between education, research, and interdiction and overseas international problems.

Mr. GUARINI. You head the task force here in south Florida, is that correct?

Admiral THOMPSON. Yes; I do.

Mr. GUARINI. What specific recommendations can you make to this committee so that we can legislate a national strategy in our war against drug addiction and the narcotic problem we have in our country?

Admiral THOMPSON. I think it has to be approached on all fronts. I am not dodging your question. I think, as we heard from my colleagues here this morning, there is the production problem overseas tied to, the interdiction problem.

Mr. GUARINI. We know what the problems are. What legislation would you specifically ask our committee to look into so that we can have a more effective national strategy?

Admiral THOMPSON. I would like to submit for the record probably a more reasoned input. But off the top of my head, I would say tougher sentencing laws. For example, in North Carolina, the State law would put a man away for 35 years for what the Federal penalty might be only 5 years, for certain possession or trafficking of marihuana.

Other areas for your legislative initiatives would include: More Federal judges to administer increased penalties, streamlined forfeiture procedures for seized assets, Federal override of States' resistance so domestic eradication of marihuana can be pursued, and so forth.

Mr. RANGEL. What is your backlog in cases, Mr. Marcus?

Mr. MARCUS. The cases are being moved basically because the Speedy Trial Act mandated by Congress says within 70 days of the indictment or arrest that case must be tried or the defendant essentially must be cut loose, and the case must be dismissed. So the cases are moving.

But what has happened is that a court with woefully insufficient resources in our judgment is laboring pretty much at the point of breaking. The civil docket is piling up. And I should add the civil docket includes cases where the United States is a party, indeed cases where we are seeking to forfeit assets to the United States.

Mr. RANGEL. So you have the country's largest criminal caseload, you have some 1,300 criminal cases pending since 1983. It is pretty bad, isn't it?

Mr. MARCUS. I would say the caseload here is more substantial, the criminal caseload, than any other district in the United States.

Mr. RANGEL. So getting the judges to increase sentences is not going to decrease your caseload, will it?

Mr. MARCUS. No; I think what we need, one thing we need and need desperately in this district is for the Congress in general, and for the House of Representatives in particular, to address a need for additional judges, particularly in this district.

Mr. RANGEL. Don't you understand what we are trying to do, panel? We are trying to get you people together to show that we recognize individually you all have some idea of how it could work better. But to give you more judges, more prosecutors, more people arrested, longer sentences, bigger jails, we have to develop a strategy, and we are kind of depending on the South Florida Task Force merely because of the high level at which our government has designated people to assist us.

I apologize to Mr. Guarini. But we want to go back, not saying what the individuals have said. We want to go back saying that you will be meeting periodically, discussing each others' problems, and what it would take, whether resolving one problem would cause other agency problems. I yield.

Mr. GUARINI. What is the conviction rate concerning narcotics in your south district of Florida?

Mr. MARCUS. Our estimates would be of all defendants charged, it would be substantially in excess of 90 percent.

Mr. GUARINI. Of all those indicted?

Mr. MARCUS. Yes, all those charged. They may be charged by felony information as opposed to indictment. They may be charged in some other form or fashion. But it is in excess of 90 percent.

Mr. GUARINI. What is your incidence of successes concerning the laundering of money?

Mr. MARCUS. I think that is one area of particular importance, not just to south Florida, but really as a national strategy. We have had some very real successes in the area of money laundering. We have created essentially an interdisciplinary project made up of the Customs Service, IRS, and from DEA and Federal prosecutors in a program called Operation Greenback, which basically has been designed to identify major financial institutions, banks, corporate enterprises, and other private organizations involved in moving the money side of the coin.

And the reason we come at it is because in some ways we may have greater success in choking the flow of money off going out of the United States than the flow of dope coming in. The foreign cartels take their dollars out of the United States. In the main, they don't invest American. That means they can do really only one of two things. They can either physically carry it out, which is difficult and dangerous, and it is just too bulky when you are talking about billions of dollars, although they do it in a variety of ways; or you can move it through financial enterprises, financial institutions, corporate enterprises and so on.

Our effort has been to target the flow of narcotics cash out. We have used the Bank Secrecy Act a lot which has helped us a good deal. It is one area where the penalties are very, very substantial as opposed to the financial penalties, say, in the narcotics laws.

By way of example, if we can prove the movement of a sum of cash in excess of $100,000 in a 12-month period out of the United States with the failure to file the appropriate forms with Treasury and with the Customs Service, there is a penalty up to half a million dollars for each discrete separate transaction.

Mr. GUARINI. Let me ask you. Laundering, of course, is one of the ways that this narcotics business can continue to foster itself, and without it perhaps it would dry up a great deal. Is that a fair statement?

Mr. MARCUS. Yes.

Mr. GUARINI. Do you feel that the same kind of penalties, as U.S. District Attorney, should be placed upon the head of a banker who helps to launder the money of a narcotics dealer, the same way as if he was dealing, himself?

Mr. MARCUS. Absolutely. It is my considered judgment that those who deal in the profits of narcotics in this district and anywhere else in the United States are as culpable and should be penalized as harshly as those who deal in the drugs. You cannot move drugs unless you are prepared to move money. It is the critical part of the infrastructure. And we better be going after, with all our might, the money launders just as well as the dope dealers.

Mr. GUARINI. Would that be a recommendation, there be a same level of penalty?

Mr. MARCUS. The laws themselves depend on what the crime is, as opposed to who may have committed the crime.

In the area of money laundering, the financial penalties are very substantial.

Mr. GUARINI. The financial penalties are?

Mr. MARCUS. Yes.

Mr. GUARINI. But by the same token, the prison penalties are less. I am just wondering whether or not you think there should be an increase in our prison penalties of bankers, people in the legitimate world, that conspire with the syndicated world to have these pervasive drugs.

Mr. MARCUS. I think the answer to your question is yes.

Mr. GILMAN. Is the IRS cooperating with you here?

Mr. MARCUS. Yes, in particular in the Operation Greenback that I was talking about, it is essentially a joint project involving special agents from the Criminal Investigative Division of the IRS, Customs Service, DEA, and our prosecutors working out of a single location targeting major money launders, major banks, in the moving of narcotics dollars out.

Mr. RANGEL. The chair would recognize Mr. Shaw.

Mr. SHAW. Thank you, Mr. Chairman.

Mr. Marcus, you mentioned in your testimony the requests for extradition outstanding to the Colombian Government. How many are there at present?

Mr. MARCUS. I am sorry. The numbers?

Mr. SHAW. How many requests do we have to the Colombian Government?

Mr. MARCUS. In excess of 10 I am familiar with out of the southern district of Florida.

Mr. SHAW. How old are they?

Mr. MARCUS. They would range over any number of months. They might go back as far as 6 or 8 months, some might go back as far as 10 or 12.

Mr. SHAW. Don't we have some several years old?

Mr. MARCUS. From the southern district of Florida, the ones I am talking about, are 1 year or less. They basically arise out of the number of recent prosecutions.

Mr. SHAW. Let's take the entire country. Do you have any idea how many more there are?

Mr. MARCUS. I don't. But I know there are many other requests. For example, in the middle district of Florida, there is an extradition request for a defendant charged in a case, Carlos Lehder, who we have yet been unable to successfully extradite in that connection as well. There are any number of them outstanding with the Colombian Government.

Mr. SHAW. Do you know of one instance in the last 5 years where the Colombian Government has cooperated under the extradition treaty returning a defendant to the United States upon request?

Mr. MARCUS. I know of not a single defendant returned, no, sir.

Mr. SHAW. What type of response do we receive from them?

Mr. MARCUS. I think there are any number of requests that are pending. I don't presume to speak for the Colombian Government. But we have made any number of requests. These requests are important. These are defendants in many instances charged with very serious offenses which arise out of very extended and costly undercover operations and investigations. We have yet to extradite a single defendant from Colombia.

Mr. SHAW. I happen to know of one very much publicized case out of the New Orleans court, jumping half a million dollar bail bond. I understand from some people we knew exactly where that person was, and we told the Colombian Government and received no information. Do you have any firsthand information?

Mr. MARCUS. I would have no firsthand information on that case.

Mr. SHAW. Mr. Thomas, from the viewpoint of the State Department, you mentioned in your testimony you thought the Colombian Government and other governments were cooperating. I fail to find this thread of cooperation. Have you pursued the question of extradition?

Mr. THOMAS. Yes, the questions of extradition have been pursued. As Mr. Marcus has said, many of these extradition requests are pending. There was a certain degree of intensive activity concerning the extradition of Mr. Carlos Lehder. As the gentlemen of the committee know, Carlos Lehder did not escape but rather fled before any prosecution could be taken against him.

We in the Department of State also are frustrated by the sometimes slow action on extradition treaties. But I know from experience in many other countries where we have longstanding extradition treaties, these things do take some time.

Mr. **Shaw**. Mr. Thomas, we have had the Government of Colombia in Washington, talking to high officials of the Colombian Government. We have talked about such things as paraquat, we talked about the successful spray programs going on throughout the world. Yet we find the Government of Colombia, when we start talking about the spraying of herbicides they talk like we are trying to introduce something that has never been used in their country.

I have been told that paraquat is a widely used herbicide throughout Colombia. And yet they act like we are trying to poison the soil. How do you explain the way they talk to us and the way they follow through on their action, and your statement that you say they are cooperating?

Mr. **Thomas**. First of all, the Government of Colombia is cooperating with us in some regards. I would not want to say they are cooperating with us fully in each area where we would like to see increased cooperation. One of those areas is certainly in the crop control area. Recently we had in the United States and in Mexico under my Bureau's sponsorship a visit of Colombian technicians to look at the paraquat issue.

Yes, sir, you are correct, in that paraquat is used extensively for agricultural purposes in Colombia. But Colombian narcotics traffickers have over the past number of years launched a very intensive propaganda campaign labeling paraquat as a certain type of poison and making certain that the people in the rural areas which would be affected have come to fear the use of paraquat in their areas.

Mr. **Shaw**. Mr. Thomas, I can tell you too this is not only talking about the peasantry, not only talking about the farmer. You are talking about the people who are supposed to know, the people who are heads of Government offices in Colombia, that are showing a tremendous reluctance and are showing the same attitude. It is a propaganda effort that may be succeeding within the farm regions, but also the message of that is being heard in high governmental offices.

I would submit to you as far as the State Department is concerned, we have to see a get-tough policy around the entire world with every government, in this hemisphere and other hemispheres, that are not cooperating with us and are allowing their countries to be used as transshipment areas or areas of original growth of the agricultural product that is coming into this country.

Mr. **Thomas**. Congressman, the Department of State and other Federal agencies strongly believe that the use of paraquat against cannabis is not only very effective but safe if properly used. I would add, however, we have had our own share of difficulties using that herbicide here in the United States, and right now the Drug Enforcement Administration has been enjoined from using paraquat in their domestic eradication program.

Mr. **Shaw**. I was at such a hearing last week in Washington before the Judiciary Committee, when I saw members of the committee becoming very, very much concerned over the wildlife, the racoons, the deer, from paraquat being used, when testimony before that committee was that millions of acres of legal agricultural crops in the United States are sprayed and usually with paraquat. It is a propaganda effort not only in Colombia, but inside our own country.

Mr. RANGEL. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. Marcus, could you give me two quick answers on this, following Mr. Guarini's line of questioning. What in your opinion would be the impact on drug trafficking if legislation was enacted making it unlawful for a felon to carry large amounts of cash?

Mr. MARCUS. Well, I must candidly say I think there may be any number of legal problems with outlawing the carrying of cash.

Mr. LEWIS. I said a felon.

Mr. MARCUS. I think the question suggests what we all know is true, and that is, the narcotics business thrives because it is cash business. I suppose, theoretically, if we went to a credit card economy and wiped cash out altogether, we would have an enormous impact on narcotics.

We would also have, I suspect, an enormous impact on our economy. And it would be from that respect probably not a very good one. If every time one wanted to walk into a store and buy something one had to use a credit card, I think the impact would be very real.

To answer your question seriously, the cash nature of the transactions are very serious. We do have laws that proscribe the movement of cash above $5,000 or $10,000 depending on whether it is a bank or across foreign borders without filing the forms. The real problem that we found here was that many financial institutions were not complying with the requirements to file those forms, and we think that has changed substantially and for the better in the last 2 years roughly, at least in this region of the country.

Mr. LEWIS. Let me follow that up. If we had legislation making it unlawful for a felon to buy large-ticket items, such as homes, boats, jet aircraft, with cash, this is a convicted felon.

Mr. MARCUS. Again, I think there may be serious legal problems. But I think again it would make it far more difficult to deal in this area.

The other point is that we have found that the foreign narcotics cartels involved in the narcotics trade are taking the big bulks of cash out of the United States altogether as opposed to simply investing it domestically, buying cars, boats, planes, and real property, although they are doing that as well.

Mr. LEWIS. Thank you.

Mr. Battard, what is Customs doing to check flight attendants on commercial airlines going in and out of the country? Many of us have heard of Pan Am attendants who have been asked to carry cash to Central and South America and to the Caribbean, and they say they are never checked. Is there a good possibility that a large amount of cocaine comes into this country that way?

Mr. BATTARD. There certainly is a possibility and in some instances we have found this to be true. The flightcrews are subjected to the same inspection as any arriving passenger. On outbound flights, we have not really had the resources or a program to check everyone going outbound. Our resources are pretty well strained in checking arriving passengers and crewmembers at the major airports within this region.

But we have run special operations on outbound flights where we have announced over the public address system the requirement to report large amounts of cash that is being exported out of the country. These operations have resulted in some significant currency seizures. But it is a hit-and-miss type of operation, and because of other enforcement priorities, we can only run it for a certain amount of time.

We have made some seizures of large amounts of cash from pilots. We do consider crewmembers in our asessments of the smuggling threat and it is an area that we do address in our inspection procedures.

Mr. LEWIS. I want to address this to all of you gentlemen. As you are well aware, the cost is over billions of dollars in health care, an estimated $20 billion, and usually loss to employers, broken families, corrupting our youth, corrupting our law enforcement, corrupting our political arena. Police officers are getting killed. We have innocent people getting killed. A mockery made of our laws. Khrushchev a few short years back said we would destroy ourselves from within. In my opinion, the drug situation is doing just that.

Now, I have heard a lot of testimony in a number of hearings from members of the task force and various agencies. I cannot believe as an individual Congressman that the type of talent that we have in these agencies and operating do not have the contacts. You are walking the streets, your people are infiltrating, and we are just arresting the little people.

Why aren't we getting the big ones, the people that are running the drug traffic in this country? Why aren't we getting the big people? I would like for you to comment. If you don't want to, say so. But I think it is important that this committee know why we have not got the big guys.

Mr. RANGEL. Mr. Corless.

Mr. CORLESS. Since we have begun our investigations and attempting to go into the long-term investigation of the larger cartels, the initial programs are to develop as many informants as we possibly can, those that can penetrate these organizations. We are looking at not only the traditional organized crime families, but also the nontraditional.

In some instances we have made arrests and indicted people who are considered major figures. But there are some people in the background who do not get sufficiently involved where we can penetrate that group to the extent we can identify and indict them.

We find as we are more involved in our narcotics investigations at this time, relating these investigations to our past investigations of organized crime, that there is greater influence in this particular area. And I think that we will see from a concentrated effort, more results at the top levels of these organizations.

But they are the type of investigations that are not resolved in 1 month or 6 weeks. Some of the investigations take over a couple of years. We have had one involving major money laundering operations, an undercover operation, which took almost 3 years. So from the date you start a complex investigation, you are not going to see the results immediately. It is going to take some time.

Mr. RANGEL. Mr. Gruden.

Mr. **Gruden**. To a very large extent, I think we are making some progress in targeting, and identifying, and apprehending some of the major traffickers. I think the problem here in south Florida is overwhelming, and it is very fluid. Unfortunately for every one we take down, there are more than enough people willing to take their place, and often do so.

There has been a number of major operations that reflect our efforts in this area directed toward money launders, major importers of cocaine, and marihuana, and methaqualone. If you get to the crux of the matter, especially as it pertains to south Florida, most of the large amounts of cocaine and marihuana coming into this area are controlled directly by cartels and organizations located in South America, more specifically Colombia.

I think it is impossible to attack this problem solely here in the United States. As long as these cartels exist in these other areas, they are going to be more than happy to find people to assist them in bringing the drugs into this country. We have to be able to attack the problem in South America, attack those criminal organizations located in South America, and more importantly we have to have some kind of meaningful crop eradication or crop substitution plan in South America.

Mr. **Rangel**. Mr. Gruden, you may have said the major word. Do I get from your testimony that if our country is unsuccessful in getting these producing countries to cut off the growth of this poison for exportation that you would find your task overwhelming?

Mr. **Gruden**. Yes, sir; I have been involved in this business now for some 20 years. I think we have to recognize there are limits to what we can do. As long as we have major producers in South America, Latin America, or the Middle East, or Southeast Asia, producing overwhelming quantities of illicit drugs, and more than willing to send them into the United States, we are going to have a problem here.

Mr. **Rangel**. I understand exactly what you are testifying. Let me ask this. Have you attended meetings with your counterparts in customs, and with the FBI, with the admiral, and you getting together and you say: "Look, unless State, or whoever is dealing with these Governments in Washington, unless they can stop these Governments from producing the opium, and coca plants, and marihuana, our mission here in south Florida is overwhelming?"

Mr. **Gruden**. Yes; we do have those meetings and that type of dialog.

Mr. **Rangel**. Once you reach that conclusion, does anyone at the meetings say: "Well, this is what perhaps we should be doing, at least to hold the dike until they can do something internationally." Are there meetings held as relates to the agents that you would need, the resources that Justice needs, that the Coast Guard needs? Do you come up with these type of things?

You fellows are out there on the front lines. Do you put in supply sheets or do you just work with whatever gets up to the front lines?

Mr. **Gruden**. I think we go in—at least I know I go in with a number of recommendations for additional resources.

Mr. **Rangel**. Who do you make your recommendations to?

Mr. **Gruden**. To my superiors in Washington.

Mr. RANGEL. I mean in your task force. On a frustrated Monday, two of the people that have been indicted, bail has been set, they have skipped town; two others, the speedy-justice thing, they may have to be let go because there were no judges to try them. You go to Washington?

Mr. GRUDEN. No; we do have monthly meetings down here. In addition we have meetings with the NNBIS staff down here with respect to the task force. Basically I think we are stuck down here working with the resources we are provided. We try and make do.

Mr. RANGEL. Have you ever seen a sheet where what all of you need is on there, saying this is the south Florida task force strategy, and each one of you has a piece of it, and you can say this is what the Congress has to provide?

Mr. GRUDEN. I think there are strategy papers that have been prepared. I think that strategy has been somewhat flexible, and from an operational sense it changes on a monthly basis. These are the meetings I think Admiral Thompson alluded to.

Mr. RANGEL. Do we have that strategy paper that the committee can share?

Admiral THOMPSON. I do not have a copy of it here. Before I took over as coordinator, when I was one of the agency heads down here, we all had to prepare a list on if we had our druthers, how would we approach it.

Mr. RANGEL. That makes sense to get started. Now that you see how limited the dollars are, have you come together with a basic paper?

Mr. BATTARD. Mr. Chairman, I think we are in the process of implementing the plan now, because the people that were initially brought down were brought down on TDY assignments, temporary assignments. Our agency, and I am sure some of the others, as noted in the local meetings we have held, are now filling these positions with permanent people.

We all have certain areas of responsibility. You cannot divorce, for instance, in customs our day-to-day operation of inspecting cargo which comes into the United States from the overall narcotics strategy that this Nation has, or inspecting every passenger that arrives in the United States.

But I think we do have a program. We have different responsibilities but we back up each other. I know that we are supplementing the Coast Guard in some areas, and exchanging information, such as observations we make on the seas with our aircraft. They are often sending information to us. I think it is a coordinated program. I think our program is well planned, flexible, and permanently in place now.

Mr. RANGEL. Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman. The line of questioning has been very interesting because it seems to me every response cries out that the same answer is ultimately do, and that is there needs to be one coordinated strategy, one agency responsible for all of the various dealings in drugs, there needs to be one coordinator and one voice that comes to Congress and asks for money to be appropriated. While all the individual panel participants keep insisting they can do their job, their answers do not actually agree with their original statements as to that. Even the Admiral—and I am not knocking any of you for that. You are all doing yeoman's work. I have been on the scene here for a long time and have seen what your strategy, what the task force, and what the Federal Government's involvement today is as opposed to what it was a number of years ago. We are all very grateful for that. DEA has brought more staff in, FBI has more people here, customs has been beefed up. Mr. Marcus has done a tremendous job considering the difficult task he has, the number of people he has and the number of judges. All along the line we are very grateful. The Coast Guard certainly has been doing a tremendous amount of work.

But what concerns me is that first of all this country has only assets that are within a parameter available for whatever it is that needs to be done. Let us assume our budget is $800 billion. There is only $3 billion spent in all the law enforcement agencies, the Justice Department, all law enforcement of the Federal Government. That includes everybody except State Department and the Coast Guard, Admiral, $3 billion. That is probably 6 months' worth of drug transactions for any large major ring in the United States.

Now, if that offends you like it offends me, and I am sure it does all of you, because all of you want more assets to work with—when we went through hearings this year, and I sit on every committee that has jurisdiction over the drug fight—right now there are basically three of them that have any kind of jurisdiction. I sit on all of them. You know the Justice Department came in and did not ask for any additional money for customs, did not ask for any additional money for DEA. Nobody asked for more judges for Mr. Marcus. Nobody asked for additional money for the Coast Guard, to discharge the additional responsibilities above and beyond its given mission. Nobody asked for more money for the FBI. As a matter of fact, in case you are interested, those people that came in, including the Attorney General of the United States, refused additional money for other agencies such as Immigration, which is not sitting at this table, because they claim there are budgetary problems elsewhere. The reality is that we are allowing this particular fight to go unhelped any more than we have already because of budgetary constraints.

Now, given that scenario, that your superiors, all of those to whom you report, then report to other superiors, are you still convinced that you still can continue this fight the way you are? Even though you are together in strategy and together as a task force in south Florida, basically you still have a dozen agencies or more all fighting for bucks that are not being asked for. Are all of you convinced that that is the way to continue to go?

Mr. MARCUS. Congressman, if I could make three brief observations.

First, on a personal note, I have been an assistant U.S. attorney, Federal prosecutor in at least three districts in this country: in New York City, in Detroit, Mich., and in southern Florida. And I can personally tell you that I have never seen a district where the coordination has been as complete and full involving the people at this table and others not at this table not called to appear before this select committee.

Second, I think the increased efforts in terms of resources, talking now about southern Florida in particular, has been real, it has been substantial, and I think that there have been very substantial successes that have come from that, and I think that they should be noted as well.

The third point that I wanted to make is that we have never seen at least in this district I think the nature of the investigations and prosecutions involving as many of what Mr. Gruden referred to as class 1 violators, really major dope violators, as we are seeing now.

Finally, I would observe that the problems we face did not arise overnight. Just talking about this region and south Florida, they arose over 10 years perhaps or more, and at least in my view it will take a very substantial period of time and a great deal of effort and a great deal of intensity and money over an equally extended period of time to deal with it when we have the enormous demand that we do have in the United States for these narcotics and controlled substances.

Mr. SMITH. Let me ask you this, Mr. Marcus. Let us just assume next year this administration is not elected and another administration comes on and they do not have the commitment to have the Vice President head up a task force like now exists. Let us suppose that that is the case and that task force is abandoned. Where is your fight going to be? Is it not going to be fragmented all over again, although you might internally attempt to keep it together by virtue of your own caring about wanting to do the right job?

Mr. MARCUS. I would be somewhat reluctant to speculate about what may or may not happen a year from now.

Mr. SMITH. I am just giving you the scenario.

Mr. MARCUS. I would say in that regard, however, that the need for resources will continue, regardless of what administration is in power. And I observe for you that if you chart on a plot the commitment to narcotics law enforcement, and you look at the number of agents that have been assigned between 1976 and 1980 and 1980 and 1982, you will see that it dropped, and really trying to get back to where we were, trying to increase the resources. I think the name of the game is increased resources and increased intensity across the board. I said at the start that I do not think we have a single piece of strategy that is going to solve the problem that starts in the Colombian and Bolivian fields and ends up on the streets of New York and Miami. It is going to take a very intense and concentrated effort involving lots of pieces, some of which are seated before you, and some of which have had substantial progress made, but it will take I think a very, very long time.

Mr. SMITH. Let me ask you a specific question. First of all, Mr. Thomas, from the State Department's view, I think it is fairly clear we have been unsuccessful in most cases in getting cooperation from foreign source countries. But let me ask you this. Do we have extradition treaties with all of the countries from which we are receiving drugs or transshipment? In the Caribbean area, do we have extradition treaties with all the countries?

Mr. THOMAS. I believe we have extradition treaties with Jamaica. We do have an extradition treaty with the Bahamas. It is perhaps in need of some update. We have an extradition treaty just recently concluded, renewed, with the Government of Colombia, which is a good treaty, perhaps not used as much as we would like to see it.

We do have an extradition treaty with Bolivia. And there are arrangements for working out extraditable offenses with the Government of Mexico.

Mr. SMITH. Congressman Shaw alluded to the fact that in 5 years we have not received anyone requested from Colombia. Have we requested anybody from the Bahamas? There are local indictments in Florida that have been requested. Have we received any information on whether or not we are getting any cooperation for the extradition of those people. Some of them are minor public servants.

Mr. THOMAS. I do not know the status of the extradition requests of the Government of the Bahamas.

Mr. RANGEL. Mr. Smith, I want to get another round of questioning before we are forced to adjourn. If you would yield to Mr. Feighan.

Mr. SMITH. Certainly.

Mr. FEIGHAN. Thank you, Mr. Chairman.

Mr. Thomas, if I might follow up on Mr. Smith's question, in what regards would you say our extradition agreement with the Bahamian Government needs updating or revamping?

Mr. THOMAS. From what I know of our extradition agreement with the Bahamas, it is based on a 1931 United States-United Kingdom treaty. Since that time there have been various changes in techniques used by both criminals as well as normal businessmen such as wire transfer of funds, other kinds of activities. I do not believe there is a reasonable conspiracy provision in the Bahamian law, which of course makes it somewhat difficult. But I do believe the transfer of funds is one of the issues.

Mr. SMITH. Would the gentleman yield for a second?

Mr. Thomas, when that treaty was concluded with the United Kingdom in the 1930's, the Bahamas was granted independence in the early seventies. Have they agreed to that treaty? They are now a sovereign nation. Have they assumed their obligations under that treaty?

Mr. THOMAS. Yes, sir.

Mr. FEIGHAN. Mr. Thomas, are we in the process of negotiating an update or revamping of that agreement?

Mr. THOMAS. I understand that discussions with the Government of the Bahamas have taken place between the Justice Department and their officials over the past 2 or 3 years, and there are some discussions moving in that direction; yes, sir.

Mr. FEIGHAN. It seems like a long period of time to renegotiate an extradition agreement. Would you be able to speculate for the committee when we might see the final results of those negotiations for a new extradition agreement?

Mr. THOMAS. No, sir, I would not know.

Mr. FEIGHAN. Mr. Marcus, would you be able to tell us whether you believe Cuba is still a significant transshipment point?

Mr. MARCUS. At this point I am just not certain of the answer to that question. Some evidence would suggest that that is so. But at this point I am not in a position where I could give you a categorical answer; I do not know.

Mr. FEIGHAN. There certainly is not conclusive evidence that it continues to be a major transshipment point. Is that a fair statement?

Mr. MARCUS. I think the evidence that we have seen suggests that it was during at least the period of time that we talked about earlier, running perhaps as late as 1981. As to whether that problem is continuing at this point or not, I am not sure that I would be in the best position to give you a specific answer.

Mr. FEIGHAN. Thank you.

Mr. Thomas, is your department able to estimate for us what amount of illegal narcotics are transshipped through the Caribbean? Is it as high as 90, 95 percent?

Mr. THOMAS. Certainly we know that when we are speaking in terms of marihuana and cocaine, that a very significant amount is transshipped through the Caribbean, because of the source countries located in Latin America. The heroin from Mexico comes across the border in the southwest part of the United States. And of course Mexico represents only a small portion of the marihuana consumed within the United States. We are really talking in terms of Colombia, Peru, and Bolivia for cocaine production and shipment as well as Colombia as the major marihuana source. So I think it is fair to say that it is a very significant amount—whether we attach a figure as high as 75 percent or 80 percent, perhaps it is higher, perhaps lower, there is no doubt it is a very, very significant amount.

As one would look at a map of the region, it is just obvious that unless one wants to take rather elaborate precautions, and certain traffickers do, we see narcotics trafficking patterns beginning to emerge all over the place, including through Argentina and to Europe, through other means of transportation. But I think it is very safe to say that the bulk of cocaine and marihuana continue to move through the Caribbean area.

Mr. FEIGHAN. What would be the major centers of transshipment?

Mr. THOMAS. Are you talking about——

Mr. FEIGHAN. Islands, countries.

Mr. THOMAS. Certainly I doubt that any island in the Caribbean area escapes to some degree serving as a transshipment point. We do know that there are certain concentrations of transshipment. The Bahamas is one that we are all aware of. We do know the island of Jamaica has been used as a transshipment point for cocaine. It is also a supplier of marihuana to the United States. We know that the Netherlands Antilles is used as a transshipment point. Increasingly, we find certain island nations in the eastern part of the Caribbean being used. So I would say that, without having specific figures to give you, the Bahamas have been perhaps the major transshipment point. But there are certainly other island nations that are affected as well.

Mr. FEIGHAN. Mr. Thomas, how does your department allocate its resources, which necessarily are limited to some degree, how do you allocate those resources between producing countries, transshipment centers, and border interdiction. How do you allocate those resources? What percentage of your resources would you say are directed to transshipment centers, whether it is the Bahamas or some other Caribbean center, for interdiction purposes, as distinguished from interdiction efforts at the producing country source?

Mr. **Thomas**. If you would permit me to perhaps back up one step and give you a broader answer, then go to the specifics.

I believe there is a well-coordinated national Federal strategy. I believe that the specifics of that strategy are contained in the Federal strategy published in 1982, which specifically gives high priority to international cooperation with a focus on crop control. And that is where the Department of State and specifically the Bureau of International Narcotics Matters has focused its resources. We believe that unless we are able to control production at the source, that we cannot make the jobs of these gentlemen sitting at the table easier.

Having said that, we do have limitations in our budget, as you gentlemen are aware. As a result, as we try and best allocate our resources, we have focused those resources in crop-control programs as well as interdiction programs as close to the source as possible. For example, in addition to crop control in Peru, and Colombia, we also maintain significant interdiction forces in those areas.

Now, I think what we have heard this morning from my colleagues at this table is that there is a considerable array of Federal equipment and personnel located near or in the Caribbean area, whether it be Drug Enforcement Administration, U.S. Coast Guard, Customs, Department of Defense—supported activities in the Bahamas, for example, in Operation Bat—and we have coordinated our approach with these agencies in Washington and decided some time ago that our best approach would be to concentrate our focus on crop control, and to attempt to facilitate contacts and services for these Federal agencies that have large-scale equipment in the area. There is no way that the Department of State or Bureau could duplicate the kinds of equipment that the U.S. Coast Guard has available. We do not believe that spending large amounts of money for assets in specific island nations will solve our problem. I think, as Admiral Thompson pointed out, perhaps there has been some significant shifting in the trafficking patterns in the Caribbean. That implies we must maintain a certain degree of flexibility and mobility, and the best way to do that is to retain those assets in our own Federal arsenal.

Mr. **Feighan**. Mr. Thomas, if I could interrupt you, the dilemma that that presents—the Coast Guard of course has no jurisdiction in the Bahamas or the Caribbean islands. Your Department does. It seems somewhat disturbing that there seems to be such a lack of focus on interdiction efforts in trans-shipment countries.

Mr. **Thomas**. Well, we do of course work in the Caribbean area with these Federal agencies, in the area of providing equipment, for example.

Mr. **Feighan**. You mean with the country itself?

Mr. **Thomas**. With the country itself, but in close coordination with other Federal agencies. Once the Bureau of International Narcotics provides a piece of equipment under the Foreign Assistance Act, that piece of equipment becomes the property of that government. We have certain regulations that we expect that government to follow. But we do not at any future time retain the right to move that piece of equipment. What I am suggesting is that the need for mobility and flexibility makes it wiser to put particularly high-cost equipment in the hands of our Federal agencies as opposed to island nations.

But I would like to point out one other thing. Through the implementation of extensive training programs which are funded through my bureau but provided by the Drug Enforcement Administration and U.S. Customs, we have trained hundreds and hundreds of narcotics law enforcement officers in the Caribbean area over the past few years. We have provided interdiction equipment to the Government of Haiti which the Coast Guard tells me has been very valuable in assisting them, allowing the Coast Guard to move off some of their stations and go after narcotics traffickers. We are currently discussing some of the coordination that takes place—I would like to say that from the Washington perspective, I find that the coordination is excellent. There are many, many series of meetings that are conducted not only on a routine basis, but numerous ad hoc meetings that take up specific issues; one of those meetings has recently been on the Bahamas, as to what we can do to improve our interdiction efforts there. The Department of State is now looking at providing in the future, if we can work out the arrangements, some significant communications equipment to the Government of the Bahamas along with an overall buildup package that other Federal agencies are looking at.

So these are some of the areas in which we cooperate and facilitate. And we think that it is a fair and logical policy.

Mr. RANGEL. Mr. Feighan, with the time restraint we have, with some restraint on the members, I think we can have one quick question around before we recess.

Mr. Gilman.

Mr. GILMAN. I am going to ask the panel this: What would you recommend to be the most important thing we could do to be of help to you in your efforts—a quick thumbnail presentation. Admiral.

Admiral THOMPSON. Continued awareness which you are creating through the legislative efforts to increase the penalties. I still maintain unless we hammer the defendants, we are not doing ourselves any good. We can process them by the score. But we have to have a deterrent here in our own country.

Mr. MARCUS. We have talked essentially about the supply side of the curve. That is what law enforcement is involved with. This committee has and can continue to focus the light of public day on the terrible blight that narcotics has on millions of Americans who continue to consume narcotics and controlled substances. Perhaps the greatest area of improvement would be in that side, the demand side of the curve, enlightening the American people of the tremendous problems discussed by the variety of narcotics and controlled substances.

Mr. CORLESS. I believe that education of the population is probably one of the most important aspects that we can address. I do not believe that law enforcement can do it alone in this country. I do not seriously believe we are going to have any major effect on the amount of drugs coming into this country. I think it is up to us as a country to educate our people, to keep them from using the drugs.

Mr. GRUDEN. I lend my support to the remarks of my colleagues earlier. This committee has indicated they have traveled throughout Latin America and South America and that they have gotten a firsthand look at the situation down there. Obviously you are all very concerned with it. I would like to see this committee take the initiative and become much more aggressive in instituting some type of crop eradication program in South America. I would really like to see you carry the ball on that. I think that would be of major significance to us involved here.

Mr. RANGEL. You can depend on that.

Mr. BATTARD. I think as far as Customs is concerned, there is some improved forfeiture legislation that is pending which would be of tremendous help to us, especially when are considers the number of vessels and aircraft we continually have to maintain. In addition, the continued support of the military would save us millions of dollars, especially in terms of loaned aircraft and technology.

Mr. THOMAS. The Department of State recognizes you have already been there. We appreciate that. It is that type of commitment that we can demonstrate as a team overseas that really will make a difference over the long haul.

At times, one of the biggest problems we face is being taken seriously by other nations. We need to demonstrate very specifically and completely to all nations that we are committed to taking care of our own drug abuse problem, and enforcement problems here in the United States, and thereby improve our ability to convince them they should take the same actions.

I understand for example that in this area, in the city of Naples, there is a group called Naples Informed Parents, which is a member of the National Federation of Parents' Organization, and one of the things we found, for example, over the last 18 months as we find the parents' movement growing and strengthening its ability to communicate, is that it is one of the best messages that we can carry overseas. As I said in a speech to an international parents group some months ago; there is no clearer language in the world than a parent's concern for his or her children, and when we can carry that message overseas, we find that it is one that is not only listened to, but we always obtain favorable responses from it.

Mr. GILMAN. I want to thank our panelists for their suggestions.

Mr. RANGEL. Mr. Guarini.

Mr. GUARINI. I would like to ask the State Department whether or not our foreign policy is actually in contravention, counterproductive to our national strategy toward drug eradication. Would you support the bill that Congressman Rangel and Mr. Gilman have in which they call for a cutoff of all aid and all support to the countries that we know are the producers of these drugs, such as Jamaica, Colombia, and others, that openly produce it?

Mr. THOMAS. Well, as I understand it, there are already amendments on the books that would permit us to cut off foreign assistance to countries that we do not believe are taking the necessary effective measures to control narcotics production. If your question specifically relates to the imposing of economic sanctions, which I believe that you are alluding to, our feeling as we have looked at some of the legislation, is that we have had some difficulty with it.

Our environmental impact statement was approved at the end of 1982, which I would remind the select committee is only some 8 or 9 months ago; before that we were precluded from attempting to negotiate with Western Hemisphere nations crop control agreements using paraquat against cannabis. Some 8 or 9 months later, and I would not want to raise false expectations, we have made some progress in that area, and we are hopeful we will have a crop control agreement of some type in Colombia in the near future. That is a decision to be made by the Government of Colombia. I do not believe in that particular case that the threat of an economic sanction would move the Government of Colombia. Perhaps it would. I do not know. I cannot speculate on that. But I feel in this particular case that perhaps we are doing all right at the moment just the way we are. I would like to see that process exhausted first, the process of negotiating with these governments, convincing them of how serious we are in our own commitments.

Mr. GUARINI. If I may press my question. Is there a conflict between the foreign policy of our country and our will to get rid of the drug problem?

Mr. THOMAS. I believe in every country of the world we deal with there are complicating foreign policy and political matters, and in many countries where there is a narcotics problem we have other interests which I know sometimes are not only in conflict with perhaps narcotics policy, but other policies as well, whether it be nuclear proliferation or trade policies or what not.

Mr. GUARINI. So the State Department is not fully behind the Rangel-Gilman amendment?

Mr. THOMAS. I believe the State Department fully supports our international policy on narcotics control in source countries. We have had all the assistance that we have needed from the Secretary of State and other senior officials in the Department of State. I have yet to see an instance where we have had any impediments put in front of us by senior officials of the Department of State.

Mr. RANGEL. Has it been included in your historic review of State Department behavior where they have ever come to the Congress and asked for additional tools in dealing with foreign governments?

Mr. THOMAS. Right now I believe one of the additional tools we are asking for is resources, primarily for the fiscal year 1984 budget; I would consider that a very important tool and one we are going to need in order to carry out our mission.

Mr. RANGEL. Mr. Shaw.

Mr. SHAW. Thank you, Mr. Chairman. I would like to take my time to add my answer to the questions of Mr. Guarini.

Mr. Thomas, I know the mission of the State Department is many fold. I know the complicating factors. I know the confluence of policies of this country in dealing with relations between nations. But I do not think the State Department has properly focused in a correct way as to who are our friends and who are our enemies. I do not think that we are really committed to a policy in which we will reward our friends and punish our enemies. And I do not think we have really from the Department of State's standpoint focused on the point that those producing agricultural crops that are killing our young people are our enemies, that those who are allowing their country to be used as transshipment points are our enemies, that those who are not cooperating with us in every possible way, save impairment of their sovereignty, are our enemies. I think these are questions that we have to focus on, these are questions that the State Department has to focus on. The future of those countries is being friends of the United States. There are none of these countries that can turn away from us. I think we are running away from our own shadow every time we back away from the issue in the Department of State.

I have traveled to various embassies. I wish I had the opportunity to go with this committee to South America. I did not. But I found instances where the ambassadors to the countries did not really recognize the problems those countries were causing to our country. I also found their priorities were confused. I found we would get top State Department briefings that would fly in the face of the intelligence we could find once we got home.

I do not think there is any higher priority in the Department of State than ridding this world of the narcotics problem. I think the only way we are going to do it is make it our No. 1 priority. If we do not, God help us in the future.

Mr. RANGEL. Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman. I think we ought to examine this in perspective, and then I want to ask the panel a question.

Many people talk about this as the war on drugs. I would urge you to consider this in that specific context. This is a war. Congressman Guarini just leaned over to me and said more people are killed with drugs each year than any other kinds of death, especially when you think in terms of what we lost in the Vietnam war. And the reality is so. We are daily, monthly, yearly, seeing millions of people's lives affected by drugs and thousands of young and middle-aged people killed by virtue of effect on them of the drugs or the effects on innocent people of those drugs, as when young drivers abuse alcohol.

This is a war. And I think we ought to also take into account the fact—I am sorry many of you do not sit on Foreign Affairs, or you would understand the way the State Department people answer their questions. I am used to it so it really does not bother me much anymore. The reality is we are not going to effectively eradicate or substitute crops at the level of the foreign countries. We do not have the resources nor do we have the ability to twist their arm to the point we are going to stop it. I think Mr. Gruden understands this. I think he realizes if you do not have the stuff to sell you cannot buy it, and if you cannot buy it, you cannot have drug addicts. But we are going to have the stuff on the street.

The next step is how will we effectively combat by interdiction or otherwise before it actually reaches our shores. That is the main question. Because we are never really going to stop all of it from coming in.

It surprised me, all of your answers to Mr. Gilman's questions, about what we can do to make your job easier. You are giving us platitudes, gentlemen, education, and all those other things which we know are effective in terms of trying to turn kids off. But that assumes that the drugs are already here and they are being offered in front of them.

The reality is, Mr. Battard, you are woefully undermined in Miami and all over the country. Is that not so? And your agency has a mission other than narcotics alone. Does not Customs deal with all commercial transactions?

Mr. **Battard**. Yes, we do.

Mr. **Smith**. Mr. Gruden, you have agents spread so thin because there is so much of a fight. Could you not use more people?

Mr. **Gruden**. Absolutely.

Mr. **Smith**. Mr. Marcus, you need judges, you need prosecutors. We have got fields of forfeited vehicles, airplanes, boats, et cetera, that are waiting for forfeiture proceedings that are not being brought because you do not have the judges. Could you not use more people?

Mr. **Marcus**. The answer to your question is yes.

Mr. **Smith**. Admiral, could you not use help and more money than you are already draining away from a budget that for the last couple of years has been assaulted on the defense end?

Admiral **Thompson**. We can always use more people.

Mr. **Smith**. All right.

Mr. Corless, the same question. And I assume the same answer.

Mr. **Corless**. Yes, sir.

Mr. **Smith**. No matter what we do in terms of education, and obviously it is extremely important, we need the frontline defense, is that not correct? We need the people, the tools, the whole set of those things which we would call, what, proactive, that whole push to keep it away from us. Is that not correct? And that means more money. So can I now at least ask you gentlemen to say in one chorus that that you need more money, more equipment, more personnel? Is that not the case? Is there anybody that disagrees?

Thank you very much.

Mr. **Feighan**. Let me associate myself with the very eloquent statement of Mr. Shaw and the very insightful comments that Mr. Guarini offered. I think in addition to not demanding more cooperation from some of those foreign governments, in some instances the State Department and other Federal agencies do not offer sufficient assistance to those governments that are willing to be cooperative with us.

Admiral, it seems to me you have the worst job in the world. You are trying to coordinate both the task force as well as the NNBIS. Would you not agree at all that the very structure of those two agencies is counterproductive, the very structure of those agencies creates the kinds of departmental rivalries that results in inefficiency and ineffectiveness?

Admiral **Thompson**. No, sir, I cannot agree with that at all. I hold just the opposite opinion. It coordinates what we have to work with down here. We may not have as much as we need, but what we have to work with down here has to be coordinated on a regional basis for the threat down here. I would submit that we have coordination.

Mr. **Guarini**. Would the gentleman yield for a moment?

Admiral, there was a GAO report that our narcotics interdiction efforts are fragmented and flawed by department rivalries. Do you disagree with that?

Admiral THOMPSON. My comment on that would be it was reported on facts that are based a year-and-a-half ago at least.

Mr. GUARINI. And all those jealousies and departmental rivalries, and who is getting the credit, has all been solved in the last year-and-a-half?

Admiral THOMPSON. I do not know if it will ever all be solved. But I would certainly think we have made strides on reducing that kind of problem.

Mr. RANGEL. Mr. Lewis, let me thank you again for your cooperation in getting together such an expert panel as we have here. I would ask you to ask the last question.

Mr. LEWIS. Thank you, Mr. Chairman.

I would like to thank you gentlemen for coming to this area and providing the testimony. I know sometimes it is very frustrating.

I have a question. The State authorities here would like to know what can be done about the IRS rule. They have been for several months asking for a change in the rule that rewards those people who turn in people because of tax evasion through narcotics controls. They are getting little response on this. They would like to know what can be done to change this rule which provides a 10-percent reward. It is very important to the State, because they feel they would receive nearly $300 million. They have not received anything from this investigative effort. I do not need an answer on that right now. There was a comment made a little while ago that concerns me.

Of the Congressmen up here, six of them are attorneys. It certainly does not sound logical to me that conspiracy is not an extraditable matter. I think it is an extraditable offense. I think those countries we have treaties with, it is an extraditable offense. It is my view we should be working with other countries we do not have treaties with. I know for a fact with Bahamas we do have that kind of treaty. I think to tell the committee this is not an extraditable offense is incorrect. If I heard it that way tell me why it was stated, and if not, if I heard it incorrectly, tell me.

Mr. THOMAS. What I meant, and as I understand it, I am not a lawyer, either, sir, is that in the laws in the Bahamas, that to apprehend, not as an extraditable offense, but as a criminal offense in the Government of the Bahamas itself, that there must be direct evidence obtained. In other words, that a narcotics smuggler must be caught basically in flagrante to have that evidence used. That is my understanding. I am not a lawyer. I may be incorrect on that statement. But perhaps Mr. Marcus knows.

Mr. MARCUS. I should say the treaties really differ from country to country. One of the central problems is that in most countries where we have an extradition treaty, they are quite willing to extradite foreign nationals, not from the host country. But when it comes to the host country, if they are a citizen of the host country, they will not extradite them except on a far more telling kind of case. But there are circumstances where the commission of a conspiracy, where we do not fully catch the defendant with the dope in his hands or on his boat, is not sufficient to extradite. It would really turn on which particular extradition treaty you were addressing.

Mr. LEWIS. I was addressing myself generally, because I think conspiracy is a concern. I think all of our surrounding countries honor these, except maybe one or two that Congressman Shaw alluded to. I think it is very important for relating the information to the committee, if we want changes in legislation, if there is a problem, it is a treaty problem which we can take to the U.S. Senate or a problem with our Federal legislation, that this committee has an input to that could make a change. It is the responsibility of the people seated on this panel, if there are these kinds of problems, to bring it to this committee. This is important in terms of the things Congressman Smith alluded to, additional funds and manpower.

Mr. Chairman, thank you very much for having this panel here. I think it is very important to this area. What happens in south Florida certainly is indicative of what can happen in the remainder of the United States.

This is the battleground. We want to win this war. And we rely on these people to win the war.

Mr. RANGEL. Thank you. We want to thank you individually and collectively. We hope we will be getting together soon in Washington and to have an informal session where you can bring your worksheets. All of us on this select committee sit on authorizing and appropriations committees. We hope to bring with us the chairman of those committees, people that you know of, that deal with your budgets, to see whether or not we can come together with some realistic projection as to what your needs are and to use our influence to see that those resources are made available.

Mr. Thomas, what we hope to do, which is a far more delicate matter, is to take advantage of the friendships that we enjoy with some of the people that represent these producing countries and ask to talk with their ambassadors—as we sometimes hear from them in terms of economic and military assistance, and sometimes on Ways and Means we hear from them as relates to tariffs and other international transactions. And while we are discussing the needs that these friendly countries have, we may discuss the extradition arrangements without having the needs of these formal treaties. It is my understanding governments can do what they want to do. We may have some names of people that we would like to talk with as we continue our friendship and cooperation with these countries.

So we hope in a very informal way to take the expert testimony that you have given to us and see whether or not we can tie it up with the Congress and with the budget and perhaps with some of the countries that are producing, we can in a more forceful way indicate the sensitivity we have.

Again, on behalf of the full committee we thank you for the job you are doing in south Florida, and we thank you for your testimony. We stand adjourned until 2 o'clock.

[Whereupon, at 1 p.m., the committee recessed, to reconvene at 2 p.m., the same day.]

AFTERNOON SESSION

Mr. RANGEL. The committee will come to order.

We apologize to our witnesses for starting a little late.

We will start off this afternoon with our local law enforcement panel from West Palm Beach. We have the chief of police, Chief John Jamason—thank you for being with us.

Chief Paikai, chief of police, Mangonia Park, Fla.

The sheriff from Martin County, Fla, Sheriff Jim Holt. Thank you for being with us.

And Sheriff George Bresher, from Broward County, Fla.

Why don't we hear from our panel, and then we would like to ask some questions afterwards.

Chief Jamason?

TESTIMONY OF JOHN J. JAMASON, CHIEF OF POLICE, WEST PALM BEACH, FLA.

Mr. **Jamason**. Mr. Chairman, I didn't get you a prepared statement. I have one now, if you would like.

Mr. **Rangel**. That is fine. We will take the prepared statement and enter that full statement in the record, and you can highlight the testimony for us.

Mr. **Jamason**. Thank you, Mr. Chairman.

This deals with the impact of narcotics enforcement and conspiracy, local law enforcement.

I find the historical parallels relate smuggling in this day and age to the prohibition of the 1930's—the glamor, the adventure, and the large amounts of money involved causes people who would normally not become involved in unlawful conduct to start dealing and trading in narcotics.

We often find whole families all involved in a conspiracy, either to deal locally or to smuggle narcotics. When they are convicted of narcotics smuggling, they are not ostracized by the community or branded as criminals. For some reason it just doesn't seem to be so bad.

Much like prohibition—a lot of people wanted to drink, now a lot of people want to use cocaine. I am not comparing cocaine and alcohol. But you find parallels as you go along with the people you are dealing with and the way they think about it.

We also find for the amounts of money that they receive and the punishment they get and the bails set, it is no deterrent. We have a case where we arrested a major trafficker in December 1981 and he hasn't gone to trial yet, and he is not out delivering milk in the meantime, I guarantee you that, because he has some expenses to make. So it is not much of a deterrent.

I will just let you read the rest.

Mr. **Rangel**. Thank you very much.

[The prepared statement of Mr. Jamason appears on p. 135.]

Mr. **Rangel**. Chief Paikai?

TESTIMONY OF EBENEZER PAIKAI, CHIEF OF POLICE, MONGONIA PARK, FLA.

Mr. **Paikai**. Yes, sir. You have a copy of my prepared statement.

Mr. **Rangel**. Chief, your full statement will be entered in the record. You can highlight it.

Mr. PAIKAI. Thank you very much, Mr. Chairman, members of the committee.

I am Ebenezer Kamakeelanilehua Paikai III. It sort of breaks the ice when one says that. I know you have a Hawaiian on your committee. Thank goodness he is not here. He would probably ask me to translate my name.

I have been a narcotics and dangerous drugs investigator for 5 years. I have 15 years' experience as a professional law enforcement officer.

My primary concern today is the fact that for years historically speaking we in the law enforcement community, especially those of us involved in the enforcement aspect of drugs and narcotics in the State of Florida, found it very difficult to get the eyes and the ears and the interest of other individuals from outside of the State of Florida to look at some of the problems that we have had.

In my statement I quote Mr. Ralph Salerno, a New Yorker, in reference to his dedication to his book "The Crime Confederation." He speaks specifically to the idea that many investigators in organized crime and in narcotics and dangerous drugs find it very difficult to make their points clear. Again he refers to them as prophets without honor even among their own, individuals working in a jungle, in the wilderness, in the darkness. And he hopes that his book will bring a light to the problem of organized crime.

I find that the light has finally arrived, in reference to your committee here today.

Basically for local law enforcement agencies we can utilize your help and assistance in three points I brought up in my statement.

Point No. 1, first of all, we have a program basically being presented today in the national media known as the chemical people program. It is a program I am a supporter of. We who support the program realize the battle will not be an easy one as far as dangerous drugs is concerned. It is an outreach community action project which calls the community to the attention that drug abuse is not the problem of government. It is not only the problem of law enforcement but it is a problem of the community. As a community, we should take a better protspective of the problem and try to deal with the problem. The chemical people program has within our project individual experts from all walks of life who have joined together in a community effort, utlizing community power, to try to fight the drug menace of drug abuse.

As a committee, the Congress and the Federal Government as a whole can best help the State of Florida and local governments by first continuing to bring political pressures upon the foreign governments to stop the illicit trafficking and smuggling of dangerous drugs.

Second, continue to bring criminal sanctions against those who traffic and smuggle dangerous drugs in the State of Florida.

And third, support us, either financially or through other resources, in the concept of a MAN, multiple agency narcotics, unit, which has worked in the past here in Palm Beach County. I have the facts listed in my statement.

Many local communities like the one I represent just cannot afford to do battle against drug abuse by ourselves. We need your assistance, we need your cooperation and we also need the cooperation of other communities.

In closing, may I say something in my native language.

"Mamake au ia oe I ka hana pono mau me kau komike."

I wish you continued success with your committee.

"Mahalo a nui loa no kou hoolohe ana."

Thank you very much for listening.

"E hoopomaikai ke aeua ia oe."

God bless you.

Mr. RANGEL. Thank you, Chief.

[The prepared statement of Mr. Paikai appears on p. 137.]

Mr. RANGEL. Sheriff Holt.

TESTIMONY OF JAMES D. HOLT, SHERIFF, MARTIN COUNTY, FLA.

Mr. HOLT. I will just highlight my prepared statement.

Mr. RANGEL. Without objection, your full statement will appear in the record.

Mr. HOLT. It is kind of hard to follow the chief's presentation there, which I enjoyed very much.

I am the sheriff of a small county just north of the metropolitan areas of south Florida. As you will see in the back of my prepared statement, we do have a major problem in narcotics trafficking in the area where I am elected sheriff.

If I could touch just a little bit on some of the problems it is causing the community and the local law enforcement, then I would like to maybe make a couple of suggestions to you people.

First, I would like to say thank you. We have been fighting this in this area for a long time. As a matter of fact, one time we thought we were going under for the third time, there was nothing that could be done, and that we were just fighting a losing battle, that there was no way we could win.

Today encourages me, plus all the communities in the smaller departments in south Florida, knowing that you people will take the time, listen, and try to do something, which is a great help to us right there.

Some of the problems that we have there—we have a lot of agricultural area, cattle ranches, orange groves, this type facility. We have had cases in the past where a trafficker would approach a ranch foreman and pay him as much as $5,000 to $10,000 to take his wife and go to a movie for a night. He will come back, his gate will be cut open. It is obvious a plane has landed there someplace on the cow pasture and the narcotics has been taken away.

This corrupts that ranch foreman who is a nice, hardworking gentleman, got a family, probably also a good social worker in the community. All of a sudden he becomes a criminal because he is taking this easy money.

I also have a fishing village in my county that people have worked hard in the fishing industry. They can make as much in one night by meeting a boat offshore running this stuff inside and getting it on a truck probably as they can all year of fishing. This is corrupting these people.

A lot of times these people get paid in narcotics. If it is marihuana or cocaine or whatever it might be, they will pay the local people that are working for them off in narcotics. This, then, has to go on the streets of my county for them to get their money out of the narcotics they have received for assisting in this trafficking operation. These narcotics hit the streets of my county for the school kids and the people that are interested in using the narcotics.

It has been a major battle. We have fought hard. I think you will see the statistics in the back of my report. It has always been a thorn in my side since I have been sheriff there. I think the narcotics problem is one of the major problems facing our country today. If you gentlemen will think about it, the people that are burning out their minds today on narcotics will probably be sitting in your chair and my chair in the near future. If you think about it in a long-range plan, it gets scary at times, because probably all of you have seen people on narcotic drugs.

Some suggestions, if I might. Before I do, I would like to say I do have cooperation with the Federal Government in the area that I work. We get great assistance from DEA, Customs, and also the Coast Guard. But a few suggestions that might help, and I know that is what you gentlemen are interested in, to try to combat this thing in any way that you can.

We have a bad communications problem. If the Federals come into the county where I am sheriff to try to assist, or if another county borders on a county line, and we try to assist each other, we cannot talk to each other, there is no way we have radio communications with one another. This gives the trafficker an advantage because we cannot get our communications together.

Another thing, they do have radar systems set up out in the Caribbean and also probably in some of the islands that I don't know of. But we do know they track planes across a lot of times. I have talked to the Federal agencies about this. If they will notify us, once they determine where this plane might be hitting the coast, somewhere along the line, my people are already working. In almost every county they have people working that know every landing strip, every drop zone, every place they could put this plane down to get this stuff out of it.

We would go immediately to these places we know and watch this. And at this time we could probably catch the people on the ground and/or the airplane when it comes in. If we don't get this information—I have talked to them and they said there is always that possibility the plane will not land in your county and we have caused you to go through this extra work. I would rather cover my area even if the plane flies over me and is gone than I had not to know.

Another instance that we had. I am in a dark zone. I know that FAA says they pretty well have the coast of Florida covered in their radar system. But I know for a fact that the county that I am in, there is a dark zone.

If you are coming across the ocean in an airplane at an altitude of 200 feet, they are not going to see you. Why I say this, the Treasury Department, I believe, put a radar in that area on a hill one time and I think we seized something like 24 planes in 26 days within the State of Florida that had come right through that particular area. This one portable radar had picked them up and tracked them across and we were able to catch them.

So I think we do need some more portable radars along our coast in these gray zones where the radars do not cover, especially on the low altitude flights.

I will close with that and turn it over to my colleague, Sheriff Bresher.

Mr. RANGEL. Thank you.

[The prepared statement of Mr. Holt appears on p. 139.]

Mr. RANGEL. Do you have a statement, Sheriff Bresher?

Mr. BRESHER. Yes, Mr. Chairman, I do. I believe it has already been submitted.

Mr. RANGEL. OK, that full statement will be in the record.

Sheriff Bresher of Broward County is accompanied by Major Navarro.

Thank you.

TESTIMONY OF GEORGE BRESHER, SHERIFF, BROWARD COUNTY, FLA., ACCOMPANIED BY MAJ. NICHOLAS NAVARRO, COMMANDING OFFICER, ORGANIZED CRIME DIVISION

Mr. BRESHER. Thank you, Mr. Chairman, Congressmen of the committee, it is certainly my pleasure to have the opportunity to be present before you today. I have taken the liberty of bringing with me Major Nick Navarro, who is the commander of the Broward Sheriff's Office Organized Crime Division. Our organized crime Division is a countywide unit. It consists of 44 agents—not talking clerical and other help. Of those 44, or 43, 22 are now engaged in narcotics type of investigations. And these are the type of investigations where we have trafficking or conspiracies—in other words, the big cases.

The smaller cases, which of course are equally as important, are handled by set teams in other units. This particular unit, narcotics section, tries to deal only with the major trafficking cases and the major conspiracy cases involving narcotics.

Major Navarro, who is the commander of that unit, has been engaged in the investigation of this and other types of offenses for a lifetime. He previously worked with DEA on the Federal level and with other police agencies before coming to the Broward Sheriff's Office. Because of his wealth of experience, I have taken the liberty of bringing him with me.

Briefly, we are, as Sheriff Holt suggested, in that area in south Florida where we have the major population centers in Broward County, and we have a significant drug trafficking problem.

Some interesting trends that I point out briefly is that we are finding that the trafficking in marihuana in Broward County in the last year has been reduced significantly, and that the price of marihuana has risen significantly.

Also, we find that the drug which has done a great deal of damage to many, many people, known as methaqualone, which I was involved with when I was in the prosecutor's office, many prosecutions in that type of offense, has also gone down significantly. The State of Florida has passed legislation outlawing it in all its manners of use, and we are finding that its use has gone down significantly.

Not surprising I assume is the fact that cocaine trafficking has very much increased. We have found from our seizures on the street, and that doesn't include interdictions, that the amount of cocaine we have seized this year in trafficking cases has more than doubled last year's, and we have not even seen this year through. The cocaine of course, as I am sure you all know, is the very big problem. The amount of cocaine has obviously gone up, allowing us to seize more, and the price on the cocaine in Broward County has significantly decreased.

A year ago, 1982, we were talking of a purchase of a kilo of cocaine, which I believe is about 2.3 pounds, was going for between $58,000 and $62,000. This year our purchases of that are down to approximately $28,000 to $32,000 per kilogram. We think, based upon the laws of supply and demand, that this means there is a great deal more of cocaine in the area to be sold and, accordingly, the price has gone down.

A couple of interesting observations that we make through our observation and through our informants is that most of this cocaine we feel is coming in from overseas, other countries—certainly the Bahamas and others. And no longer are we finding it is coming in in big loads, but it is coming in in smaller loads. It would be stored at a nearby place overseas and brought over in smaller quantities. So if it is interdicted, the whole load is not lost, only a small portion.

Another interesting factor in the way we are finding the cocaine coming in is in a different form.

Recently we had an investigation along with the Dade public safety, and I believe the drug enforcement, DEA, where in south Broward a laboratory was discovered, and it was a laboratory to transform the coca paste into the cocaine used for street purposes. This allows them to bring in the coco paste which is raw and unusable to the consumer, to be transformed in the laboratory and then sold in the open street corner as cocaine.

One of the interesting and very detrimental aspects of this, this allows the drug smuggler to bring in the coca paste either in the form of paste or in the form of a liquid. Now, it is much harder to detect than the typical white powder. And of course there are lots of different ways that a liquid could be transported and disguised. We find this is a very interesting and sorry-to-see consequence.

I don't think I need to go on and talk about all the harmful effects we have found that cocaine has had and the various functions we have had in our investigations. Suffice it to say if we were to make a recommendation of things that we feel that we need, certainly one, our own unit, which is a local problem, needs to be increased in size. Only 22 people doing this in a county our size is not enough. We intend to address that in the future.

Certainly we also feel on the Federal level that there needs to be improvement in the interdiction—it is obvious to you and to everyone, but to say it anyway—to find a better way to stop it from actually coming to our shores. We are making arrests and seizures after it is already here. Hopefully, if there could be a better interdiction or more resources toward that effort, it could greatly help all local law enforcement in dealing with its problems.

Also, I would stress better cooperation between the Federal and State agencies could improve law enforcement. Not throwing rocks at anybody, but I think, for instance, when they initially started the task force, they were rotating people in every 90 days and, doing it that way, of course people were not really able to set up relations with other agencies and get to know the people and what not before they would be transferred out.

Now I understand that has been remedied and the task force is going to be permanent, so we can get away from some of the problems we were having with just the people coming through on a temporary basis.

I have instructed Major Navarro and all of our people that we are to cooperate in every way with all the Federal agencies and the task force specifically, and we are hoping for better relations. I am sure if any problems had arisen, certainly at least half of them have been in our province as well was theirs.

I have personally gone down and met with the admiral, who is the head of the task force, Admiral Thompson. He is a very pleasant gentleman and dedicated to his task. And we are looking forward to being able to work better with them in the future than we have in the past.

That is basically all I have, Mr. Chairman.

Mr. RANGEL. Thank you.

[The prepared statement of Major Navarro appears on p. 166.]

Mr. RANGEL. Mr. Gilman?

Mr. GILMAN. Thank you, Mr. Chairman.

Did Major Navarro want to make a comment?

Major NAVARRO. No, Congressman. The sheriff has stated everything I would say also very well.

Mr. GILMAN. I note, Sheriff, you made some comments about the need for better coordination and cooperation. In what areas particularly?

Mr. BRESHER. Well, for instance, Congressman Gilman, we have in our organized crime office one of the agents from Customs who comes with us and works with us closely. As a matter of fact, we have a desk in there for him. Not that that is his home office, but he comes in and works closely with us, and we think that is a great thing. We would look forward to much closer cooperation with the other people in the task force.

Mr. GILMAN. Do you get an opportunity to make some input into the task force, to meet with them—do they consult with you?

Mr. BRESHER. Yes, sir, I have. I have gone downtown and met with Admiral Murphy when he has come into Miami. I have met with him on two occasions. I met on many occasions with Mr. Rinkovich. Since Admiral Thompson has taken over the direction of the task force, I have met with him one time.

Mr. GILMAN. Are you part of their planning effort? Do they consult with you about needs and how to improve your effectiveness and the exchange of information?

Mr. BRESHER. I don't, other than those periodic meetings I have with the admiral, do that.

Mr. GILMAN. That is on your own initiative, the meetings with the admiral?

Mr. BRESHER. No, they call and I call back.

Nick, how much do we deal with them on the operational level?

Major NAVARRO. Very little. They are not geared to work with local law enforcement agencies, Mr. Congressman. They were set up to come here only to interdict. And the Coast Guard is doing a magnificent job of interdicting on the high seas. But our level of enforcement is entirely different than what they are doing. So really they have no need to come and talk to us.

Mr. GILMAN. So there is very little consultation with you?

Major NAVARRO. On my level.

Mr. GILMAN. Sheriff Holt?

Mr. HOLT. The same, sir.

One thing that has caused a problem is the Forfeiture Act. This is where we take the bad guy's equipment. It has been of great assistance to me and to my department in getting this equipment to turn around and fight them back. When the task force was first formed, they told me anything that was coming into south Florida they would take control of it and take it back to be distributed through the Federal Government.

This rubs us the wrong way, and I think it probably got us off on the wrong foot to start with. But I need that equipment. We don't have that much ad valorem tax to support fighting an overall problem. The equipment is really valuable to me.

Mr. GILMAN. What sort of equipment have you seized?

Mr. HOLT. Airplanes, boats, cars.

Mr. GILMAN. How many airplanes do you have right now?

Mr. HOLT. I think we own three, and I have two or three under seizure.

Mr. GILMAN. Quite an air force for a sheriff's department.

Mr. HOLT. Yes, sir, but we can trade these—the car I am driving is a 4-wheel drive Chevrolet. I traded an airplane for two of these.

Mr. GILMAN. You also seized some boats?

Mr. HOLT. Yes, sir.

Mr. GILMAN. How many boats have you seized?

Mr. HOLT. It is in my report, sir. Numerous.

Mr. GILMAN. And what have you done with those?

Mr. HOLT. We usually sell them at auction. The Florida Forfeiture Act has it where this money goes into a special fund regulated by the county commission. It can only be used for law enforcement. It has been a big help.

Mr. GILMAN. You use those funds in narcotics enforcement?

Mr. HOLT. Yes, sir.

Mr. GILMAN. Chief Paikai, how much consultation have you had with the task force?

Mr. PAIKAI. Just prior to me taking this position, I spent 9 years in the Palm Beach County's Sheriff's Office, 5 years in which I was involved in the organized crime. Our relationship with the task force has been very limited, like the other gentlemen here at the table, only because they have a different mission as far as they are concerned, in interdiction.

Again, in my statement I relate the fact that in 1977 the Palm Beach County MAN unit, established under the auspices of the Palm Beach County's Sheriff's Office, in the first 2 years we seized 180,000 pounds of marihuana, 51 vehicles, 11 airplanes, of which 10 had crash landed—that is the only way we found it—crash landed in the western Palm Beach County area.

At that time we started a task force, a working concept with the Federal agencies within the Palm Beach County area and we managed to do a lot of work that we felt, the local agencies, should have been done by the Federal Government. Now that they are here, they have taken some of the pressures off the municipalities and the sheriff's office inasmuch as spending a lot of our time sitting out there watching on our boats and sitting out there watching west of our town, fighting snakes, mosquitoes, waiting for the airplanes to drop the loads on our heads.

The problem needs to be addressed and they are addressing at least one part of it.

A task force is needed whereby they would have some interaction with local agencies so that we could utilize some of their services. And because of redtape and guidelines by the Federal Government, there are difficulties.

Mr. GILMAN. So right now there is very little interaction?

Mr. PAIKAI. Yes, sir. They are out there on the high seas.

Mr. LEWIS. Will the gentleman yield?

Do you feel now that the task force feels that their mission is still different than yours today? You mentioned initially you felt this was the cause. Do you think that is still a problem?

Mr. PAIKAI. Our contacts with them have been very limited. They have their guidelines. Unfortunately, the redtape is astronomical when it comes to the Federal Government. Chief Jamason can attest to that fact. When we deal with the Federal agencies, there is that redtape problem.

Mr. LEWIS. Dropping a load in western Palm Beach County, crash landing in Palm Beach County, it would seem to me you would want to interdict that material. Doesn't the task force feel this is part of the interdiction problem?

Mr. PAIKAI. It became a problem, sir, when it was brought to their attention. It is their concern now at the present time. At our inception of the MAN unit back in 1977, it was just fair game for us, local law enforcement agencies. We felt we were fighting a battle for the country and no one really cared.

Mr. GILMAN. What have you done with the planes that crash-landed?

Mr. PAIKAI. First of all, those that could be put back together again are subsequently sold for auction or for scrap. Again, like Sheriff Holt, these moneys are utilized by the local agencies for equipment in the fight against narcotics smuggling and trafficking.

Mr. GILMAN. Have you also seized some vehicles?

Mr. PAIKAI. The sheriff's office, yes, sir. As a member of the sheriff's office we have seized many vehicles. Those were subsequently sold on auction and returned back to the unit. Understand that the sheriff's office MAN unit was made up specifically of smaller municipality agencies. We went to the small agencies and asked could we have a man for a year, a year and a half. We would give him training in narcotics and investigation and he works with us. Many municipalities said it was a great idea.

As the economy got back, the sheriff's office started losing these people. So some of the moneys has to be returned back to the small communities. We returned moneys back by way of purchasing equipment for the small municipalities—cars, and so on.

Mr. GILMAN. Those were the assets seized?

Mr. PAIKAI. Yes, sir. Out of the goods that we got from the bad guys.

Mr. GILMAN. Chief Jamason, would you comment?

Mr. JAMASON. We have no contact with the task force. My observations are the pressure they have applied in the Miami and the southern Broward County area has driven more and more smugglers up the coast into Palm Beach County and all their resources are basically down there. And we are getting an overload. We are getting people constantly coming in the inlet with loads of marihuana, loads of cocaine.

We find that we are working on a group of people for trafficking and the Federal Government is working on them for smuggling, and neither one of us knows it because there is no communication whatsoever between the task force and municipalities. I have never spoken to anyone from the task force since its inception.

Mr. RANGEL. Mr. Guarini?

Mr. JAMASON. If I may say one more thing.

The only way to fight the people we want to fight—there are two ways you see cocaine, in kilos, like this, 2.2 pounds, and decks like this. That is what it looks like. There is about 10,000 little decks like this. For every package like this that comes ashore, we end up tracking these. And we take the pressure from the citizens who complain about people standing on the corner selling them.

Mr. GILMAN. That is precisely why we are trying to put pressure on foreign governments to get at it at the source.

Mr. JAMASON. It is usually 95 percent pure. But by the time they break it down and put it out in the streets, it is 10 percent. And at $10 a deck, if you paid 46,000, you get 778,000 back. So there is a lot of profit.

Working wiretap for us, we tie up 20 men for a month getting one large dealer.

Mr. GILMAN. Did you make a request to the Feds to help you?

Mr. JAMASON. Yes; the individual agents are glad to help you. They do what they can. But again, there is so much redtape that it becomes a problem. And you have bilingual problems. You have Colombian and Cuban dealers, and it is very difficult for 50 policemen from West Palm Beach, when we have one Spanish-speaking officer, to run a wiretap for 30 days, and you cannot get any help.

Mr. RANGEL. Mr. Guarini?

Mr. GUARINI. Thank you. Even though there have been more arrests, more confiscations, since the task force started in February of 1982, you state that the problem of drugs is worse or has it been ameliorated in this area?

Mr. JAMASON. I would say when the task force first started it had a tremendous effect. Since the dust has cleared, it is business as usual for the smugglers.

Mr. GUARINI. In other words, today we are worse off in Florida than we were a year and a half ago?

Mr. JAMASON. I wouldn't say worse off, but I don't think we are much better off than we were.

Mr. GUARINI. Anyone else have any other opinion?

Mr. PAIKAI. My town is 1.5 square miles. That is it. For many years there has been a general apathy by the public about narcotics and activities by law enforcement agencies. It was customary to read in the newspapers a ton here, 200 pounds, 400 pounds, 150,000 pounds of marihuana. It got to the point where my little town says it is not going to happen here. Well, it did. Four months ago it happened.

What I am saying, it is getting worse in the sense the real bad guys, the ones down in Miami, the ones fighting with the bullets and everything else, they are moving up here because they know we don't have the personnel up here. My town has 7 law enforcement officers. We had a shootout, 900 pounds of marihuana, individuals from out of State was in my town, and they had a shootout, a Dodge City type shootout. All they have done is moved them up here.

Mr. GUARINI. In Broward County is the condition worse now than a year and a half ago?

Mr. BRESHER. Congressman, I think yes, I think there is more cocaine available now than there was.

Now, in fairness to the task force, and I did discuss this with Mr. Rinkovich and Admiral Thompson, and they tell me and show me statistics of all the interdictions they have made, and they are talking about the straits down there around Cuba and the other places where the boats are coming up, and they say we are seizing *x* amount, we are seizing pounds and pounds of this stuff. To our chagrin, they tell me there is still more of it on the street, still more coming.

Mr. GUARINI. Is there more marihuana grown in Florida today than there was a year and a half ago?

Major NAVARRO. Yes, sir, there is information that in the Panhandle and some other areas of Florida—not so much down here in the south end—there is more marihuana growing now than ever before.

Mr. GUARINI. Is some of this marihuana growing on privately owned lands?

Major NAVARRO. Yes, sir.

Mr. GUARINI. Is anything done to confiscate the property, the real estate that this marihuana is growing on?

Major NAVARRO. Yes, sir. We are working on several cases right now that are conspiracy cases. We are working with the statewide grand jury on it under the RICO statute by the State of Florida, the racketeering statute—we can confiscate real estate.

Mr. GUARINI. We often have confiscated planes and cars and boats, et cetera. But have we ever had a case in Florida where we have confiscated the real estate itself?

Major NAVARRO. Yes, sir. The only difference is that the real estate does not come back to the local law enforcement agency, like we have in the normal Forfeiture Act. It goes to the State.

Mr. SMITH. If the gentleman would yield, I had a hand in writing that statute.

What we do with the property is that the attorney general of the State of Florida is the one that initiates the proceedings. What we do is now we try to develop the criminal case and the civil procedure at the same time and serve all the warrants and all the subpenas, the summonses, everything, the whole lawsuit as well as the criminal proceedings at the same time, so that not only are they arrested at that moment, but we have them there and we are able to initiate those proceedings.

Last year the attorney general's office spent $200 to $300,000 on five attorneys and five secretaries, and confiscated approximately 3 to 5 million dollars' worth of real property in the State of Florida.

Mr. GUARINI. Do any of these planes land on private property?

Major NAVARRO. Yes, sir.

Mr. GUARINI. Has anybody ever made an effort to confiscate the property that the private planes have landed on?

Mr. NAVARRO. Yes, sir. We are in the process right now of an investigation we are carrying out with the statewide grand jury whereby we hope to be able to confiscate some land to the State in which airplanes have been landing and bringing in loads of marihuana.

Mr. GUARINI. Has the State made any effort to eradicate by spraying them?

Mr. NAVARRO. Yes, sir, they have.

Mr. GUARINI. You sit in an unusual position because usually people aren't able to judge themselves as others can judge them. You are on the level between the Federal authorities and the local authorities, municipalities, sheriffs. Would you say that there is duplication and overlapping of effort, and would you comment on the cooperation that exists between all the levels of government?

Mr. BRESHER. I think fairly saying, whenever you are going to have more than one organization there is always the element of competition and getting to know someone else.

Mr. GUARINI. Are there rivalries that do exist?

Mr. BRESHER. To some extent, yes, sir, it does exist. I think more than the competition I do think there is a desire to cooperate. I was interested here when the chief made the comment that individual agents will always go out of their way to help if they can. And I subscribe to that a hundred percent.

Mr. GUARINI. Do these rivalries detract from our energies and talents in the thrust of trying to fight the war against narcotics?

Mr. BRESHER. To some extent, yes, sir.

Mr. GUARINI. So part of our efforts are counterproductive. So that all our moneys and our efforts and our energies are not put in the same direction because of jurisdictional problems, and turf, and redtape and preserves that people feel are their own.

Mr. BRESHER. Yes, sir. We are not as efficient as we could be.

Mr. HOLT. I would agree with that.

Mr. GUARINI. Thank you very much, Mr. Chairman.

Mr. RANGEL. Mr. Lewis, our host.

Mr. LEWIS. Thank you, Mr. Chairman.

Again, I am sorry the panel that was here previously couldn't have been here and have some exchange. I am very concerned, Sheriff Holt, where we are talking about the communications on the county line and the inability for counties to communicate with each other. We know there is a line right across this county, yours, and to the west, which is an area for the smuggling of goods into the country.

First of all, I would like to say, Sheriff Bresher's county is the second largest in the state. It probably has more drug-related arrests than any other county in the State.

Sheriff Holt made the largest marihuana bust in history.

You look at a small community where Chief Paikai is the chief of police, it is a very small community.

And you have Chief Jamason, with the fourth largest city in the State. And we find problems now entirely different from what we heard this morning, where that cohesive cooperation is not here.

We were led to believe this morning that the cooperation with the local law enforcement, and the questions were directly asked by members of this committee, and we now hear the gentlemen on the firing line to catch these smugglers are not getting the cooperation they need.

Mr. RANGEL. Would the gentleman yield?

I don't see where we could just leave it like that. This is a shocking conflict with what we as Federal officials would like to believe is the cooperation between central government and local government. And all of us have reason to believe that you would be the eyes and the ears of what is going on where you have jurisdiction, to feed this information to the more sophisticated Federal Government.

What I would hope is that you not believe that we are just coming into your locale, having a hearing, hearing what you have to say, and moving away.

It would seem to me that if you people could get together and have a conference, chaired by Congressman Lewis, where you can just list the things that you need and what you think you could use to be more effective, and where there is a breach of communication, and if you, Congressman Lewis, can report back to the full committee even though physically we are not here, then I think it would go a long way toward our commission, if the rest of the members of this committee agree, because we may be clear, we are not here to be critical.

But it is absolutely absurd to find professionals not talking to professionals while these people are bringing in the cocaine by boat, by air, and you are there just looking, waiting for someone to give you assistance.

I apologize for the interruption. But I just don't want you people to believe that we are just going to leave here and not followup on this testimony.

Mr. LEWIS. Thank you, Mr. Chairman. I appreciate that. And I will get together with these gentlemen and see if we cannot hold such a conference and report back to the committee.

I would like to ask the panel a very direct question.

Do you feel that we in this country, our emphasis has been on apprehension of the drug user rather than the drug smuggler?

Mr. JAMASON. You have to apply a certain amount of pressure on drug users, because they are responsible for various other crimes in the community. Probably out of 695 robberies we had last year, I would say 60 percent of them were drug users involved. Your burglary rate, people that use cocaine and spend $90 to $125 a day, if they are not working they are going to have to steal to get it. So your muggings, burglaries and robberies are related.

You cannot ignore the users. You recently got a letter yourself from a neighborhood about people standing on the street and selling cocaine. I get a letter like that. It is pressure on me and I have to have people out there to stop it. Our thoughts are it has to be stopped before it gets here, because it is too much of a burden.

We have had nine drug-related murders in the city of West Palm Beach so far this year. That is a lot for a community of this size. And it gets a little worse each year.

Mr. LEWIS. Chief Paikai?

Mr. PAIKAI. Again, sir, I think I agree with Chief Jamason. As the primary law enforcement official in my community I have to address myself to the community needs. I have my burglaries, I have my robberies, the crimes that happen every day. Yes, it is true, there are individuals who are committing these crimes who are users.

Again, in my statement I address myself to the community concept, where we have individuals within the community to attack the problem as a community problem. The crime watch programs which are going on throughout the State of Florida is a perfect example of how a community can get involved.

And Chief Jamason in his city has a fantastic crime watch program where the citizens of that community are taking care of their community. They are having a convention here. It is fantastic to see citizens of the community out there saying yes, we know you guys cannot solve all our problems. Obviously the local governments cannot solve trafficking and smuggling.

Mr. RANGEL. I get the impression that a lot of your citizens see these drug business transactions taking place and they are not running to the chiefs of police, that they are just looking at this thing, and for a lot of them it is business as usual, and they are minding their business.

Fishermen—they just give them some narcotics to peddle. I admit people are watching. But I get the clear impression that a lot of people are looking and just not paying attention to it. There is a new lifestyle that has developed in a lot of these places where good people have been tempted by large amounts of money and their neighbors are just ignoring it.

Mr. GILMAN. Would the gentleman yield?

Mr. RANGEL. I would like to ask, am I misreading this thing?

You know what we are saying. We are really talking about the lack of respect for law and order and democratic government as we know it.

If there is a breakdown where the rule of the game is not to get caught, then it is very difficult to tell the kids to obey the law, if they can see someone enriching themselves because someone in their family or community is still respected, still driving a big car, still having a big home, and yet nobody is taking enough time out to say that this person is a criminal and a hoodlum.

We had a mayor here this morning that talked about what has happened to his town. When Federal officials have to come into somebody's town and arrest half of his friends, it is really sad.

Mr. GILMAN. Would the gentleman yield?

Tell me—the chairman is indicating that it has become somewhat of a way of life in some of our communities. Have you gentlemen found some of our traffickers are now involved in the political structure of the community?

Mr. HOLT. Yes, sir, definitely, we have. And I think what the chairman was talking about there, we are as a society accepting narcotics more. Here is a guy that has made an awful lot of money and he has become sort of a big wheel in the community, and all of his money has come from illegal drugs. More people have accepted him. But I am on the front line. I know there are still more people against this than accepting this. There are more people out there that want this done away with because their kid has gotten involved.

Yes, definitely, there is more acceptance now than what there was a few years ago. But there is still a lot of people that want something done about it.

Mr. GILMAN. Are you seeing some of our traffickers becoming activists in political activity in the community?

Mr. HOLT. Moneywise.

Mr. GILMAN. Any other panelist want to comment on that?

Are you seeing any political activity by drug traffickers or influence by drug traffickers on the political structure?

Mr. PAIKAI. Not in my town, sir.

Mr. BRESHER. I have not seen any of that, sir.

Mr. LEWIS. One further question, the same question I asked the Federal panel this morning.

We are witnessing broken families, seeing police officers killed, corruption of our youth, corruption of our law enforcement officers, police officers getting killed, innocent people getting killed, a mockery made out of our laws. Khruschev said the Soviets would bury us and that we would destroy ourselves from within. And my greatest concern is we are still arresting the little people. What is it going to take to get the big ones and stick them in jail?

Mr. JAMASON. You have to go to the source. Your municipal police departments, county police departments, cannot stop smugglers. They have to be stopped before they get here. When they get here it is too late. Those we catch are just a drop in the bucket compared to the ones that get away. You have to go back to the source.

Where does cocaine come from? Colombia. Then why don't we take care of it in Colombia instead of letting it get here, because once it is here, we are stuck with it. It is an impossible task for local law enforcement in this country to handle it once it gets here.

Mr. LEWIS. Chief?

Mr. PAIKAI. I have to agree with that. But I also believe seeing a task force concept in the enforcement, and seeing how it works, and it can work, where you can take individuals from small municipalities and smaller counties and work as a whole toward a common goal. And that goal would be as the Federal Government would take care of the interdiction of drugs coming into the country; we all know that drugs are still going to come through.

At the local level we local law enforcement agencies have that knowledge and intelligence information available to a task force concept. We can feed it to the task force.

If I cannot afford a narcotics investigator in my town, I can go to a county agency or the State and say, this is the guy we know is doing dope in my town, he is corrupting the kids in my city, I need some help, I have to go to somebody. If I can go to a county or State agency and they say, we will bring whatever resources we have available to you, I would appreciate that. And if it is possible where some of those moneys could be expended where I could say to my town council that particular individual on whom we are spending for training in narcotics enforcement is being paid for by a State agency, fine, they will let them go.

I reap all the benefits. I will take care of my problem and also be training my people.

Mr. HOLT. Getting back to your question, I don't believe as long as the demand and the supply and the profit is here we are going to stop it. I think that we could all work together better to make it more difficult to get here and to get on our streets, but we all have to work together through communication with each other, through trust in each other—there is a lot of mistrust now.

It seems like the Federal agencies are looking at all of us and saying, "The locals, they are tipping our hand, causing us problems, if we feed this information to them"—if we could all work together and get into their pocketbooks.

We have initiated a lot of investigations and I think we have gotten to the top on several of them. We didn't put them in prison, but we have cost them a lot of money along the way. I think if we all work together and do this, we are going to see a reduction. I don't believe we are going to stop it.

Mr. BRESHER. Congressman, one of the biggest disappointments, especially with the cocaine, is that the demand for it is so great.

Major Navarro and I were talking on the way up. This has been an unusual drug in that many of the influential members of society, people in high places, wind up taking it.

The Congressman asked before if we had seen it in the political process. My answer was, I had not seen it in the political process as far as a trafficker, but I have seen it certainly across the high spectrum of society, certainly in Broward County, where it is abused by people in high position who have attained a good position in society, and that is so discouraging.

The amount is so great on the street—Major Navarro advises me we could be making the street arrests every day and not really make a dent in the supply that is there. That is why I would echo what the other gentlemen say, in the final analysis the best area to make a dent would be before it enters the United States.

Mr. LEWIS. Thank you.

Mr. RANGEL. Thank you.

Mr. Smith?

Mr. SMITH. Thank you, Mr. Chairman.

Well, this brings us back to where we left off with the first panel, and that is, we would all be better off if the additional manpower and the personnel and the equipment and money was there to interdict it before it came here.

Let me just throw out some things to you and see whether or not I can elicit any response from you.

You all testified that you were all very hopeful when the South Florida Task Force was announced and when it went into business, and now you find it is almost back to business as usual for the traffickers.

Sheriff Bresher has indicated there is an extreme increase in the amount of cocaine on the streets. I think this is one of the areas where there is a problem.

Have you found that the task force has in fact created this situation by being so successful in combating marihuana more than anything else that people have turned to the easier method of smuggling and importing cocaine which is much more difficult to detect, and therefore they have evaded to some degree the interdiction screen?

Mr. HOLT. There is a possibility of that, yes, sir. I believe Chief Jamason said, originally when the task force was first formed, and all the publicity went out, we did see a reduction. Now I think they are getting more sophisticated in the way they are bringing it in.

Yes, sir, I would have to agree with you. I think maybe they are getting the lesser bundles and cán get it in. I would have to agree with you.

Mr. BRESHER. I also agree.

Mr. SMITH. Let me ask the next question.

In Palm Beach County, Martin, Broward County, we have literally thousands of pleasure boats that go back and forth from the Bahamas, go out fishing, many of whom are carrying a lot of average decent folk who live here and fish on the weekends.

Isn't it true that a lot of those people and a lot of others on those boats are in fact going to the Bahamas, coming back right out through and in through the inlets, whether it is Palm Beach or Port Everglades, and bringing 3, 4, 5, 6, 7, kilos back in a 50-foot boat, and customs has absolutely no way of combating it nor do you.

Mr. BRESHER. Absolutely, yes, sir.

Mr. PAIKAI. I would have to agree with that. It happened every day, while I was working as an investigator, and being out there in the ocean. It happens every day and it continues. We just don't have the personnel.

Prior to the task force, Sheriff Holt and Chief Jamason and myself, we all worked the interdiction. We really felt we were the only ones out there. Nobody really cared. Now the Federal Government is getting involved in it.

Yes, sir, somebody cares. What we need basically is someone to say not only do we care, we want to work with you, we want to help you.

Mr. SMITH. Right now they are not.

Mr. PAIKAI. They have their own mission, sir.

Mr. SMITH. Not one of you have the manpower, the personnel, the budgets, et cetera, to combat these individual carriers of cocaine.

Mr. JAMASON. We monitor them to a certain degree. We profile the boats that go in and out, tractors and trailers, people that park their vehicles here and go to the Bahamas, we run them through our network. But again it is manpower. It is a hit and miss situation. When you get a boat coming in at night and the driver is wearing $7,000 goggles so he can see clear as daylight and run without his lights, it is kind of tough to combat when they have much better equipment than you have.

Mr. **Smith**. If customs had 500 more officers here dealing solely with interdiction of cocaine smugglers, would it be of great benefit to you individually?

Mr. **Jamason**. I don't know about 500. Now if the people were made to realize they could not go in and out as they please——

Mr. **Smith**. I don't think the members of the committee realize many pleasure boats go in and out of these areas and the harbors that go out to the ocean from the intercoastal waterway. There is no customs available to police these small boats. Many of them go out from private homes or marinas which they go back to without seeing a customs boat. The law requires that they check in at customs. Nobody can enforce the law.

There are people who theoretically call up on the phone and say, "I just came back from the Bahamas, do you want to come and check me," and the customs says, "Do you have anything to declare?" They say "no," and they hang up. They theoretically comply with the law. And customs has no opportunity to deal with any of those people.

That is part of what now impacts on them on the street, because that stuff is here and available, either for transshipping out or for sale right here. And this is a major problem.

The Broward sheriff's office used to have a very strong working relationship with customs in terms of being able to get customs to provide air surveillance when it was bringing in an informant load. Is that correct?

Mr. **Navarro**. Yes, sir, that is true.

Mr. **Smith**. Do you have that kind of availability today any longer?

Mr. **Navarro**. No, sir.

Mr. **Smith**. When did that cease or slow down?

Mr. **Navarro**. Since last year.

Mr. **Smith**. With the advent of the task force?

Mr. **Navarro**. That is correct.

Mr. **Smith**. You cannot call up any longer and ask for them to provide you, when you know a load is coming over by one of your informants, with air surveillance.

Mr. **Navarro**. I still call. I have always been calling them. Many times we have information of a nature, we call customs. But they now have to call the task force and normally the answer that comes back is, "No; we are not going to get involved. No; don't bring anything." They don't cooperate with us like they used to.

Mr. **Rangel**. Who do you call now?

Mr. **Navarro**. We still call the air detail of the U.S. Customs Service. However, they have to check now with the task force, and the task force normally tells them, no, they would not allow the case to take place, and therefore, we go back to all our informants and tell them to come back empty-handed, the case is not taking place.

Mr. **Rangel**. I get the clear impression since the task force has been here your work has been more frustrating.

Mr. **Smith**. There is no major chorus of "noes."

Mr. Rangel. We don't come here to add to that frustration. I have talked with Congressman Lewis, and I have checked with our chief of staff here. We are prepared, if Mr. Lewis is willing to assume the responsibility, to lend some of our staff to see whether or not you can get together and come up with some type of plan where there could be a better system of communication and where you have information to share.

We would like to believe in our system of government that you are the eyes, the ears to know what is going on out there—when you feed it to the Federal Government to see what, if anything, is to be done. As long as they are just talking to each other and not listening to some of the problems you are facing, we don't know how effective they could be.

Mr. Smith. Mr. Chairman, a final question.

First of all, let me say I know of all these gentlemen, I know some of them personally. They do a fantastic job with the strained resources they have and their limited budgets. They all do a terrific job. Certainly in my own county of Broward, Sheriff Bresher and Nick Navarro are well-known.

In any event, my question is—do you perceive of the task force, the South Florida Task Force, as strategic or tactical, because your roles are basically tactical? Do you perceive of them as strategic or tactical?

Mr. Paikai. From a small municipality point of view I wish it was strategic, but I know for a fact it is going to be tactical. That is just the way they do things.

Mr. Holt. I agree.

Mr. Bresher. I agree, tactical.

Mr. Smith. On interdiction only?

Mr. Paikai. Yes, sir, their mission.

Mr. Smith. They don't share any of the information from IOIC with you at all, do they?

Mr. Navarro. No, sir.

Mr. Gilman. Would the gentleman yield?

Has anyone ever brought any of you together to say let's develop a long-range plan for fighting narcotics?

Mr. Holt. Not to me.

Mr. Navarro. Yes, sir, Mr. Congressman, we did.

When the task force first came down here we invited them to come and meet with us. And they came over and we displayed everything we had. As a matter of fact, we took them for a ride out into the Everglades and showed them the clandestine strips we have out there. We told them we wanted to cooperate with them. However, it is my understanding that that was not the function of the task force when they came down here, to work with the local law enforcement agencies and in long-range investigation. Their task is only to interdict narcotics. They have done a superb job of that on the high seas.

Mr. Gilman. That was the last you saw of them?

Mr. Navarro. That is correct.

Mr. Guarini. would the gentleman yield?

Was there ever a meeting called by the task force of the sheriffs or the local officials to exchange notes and ideas as to how we could get a strategy going in the southern part of Florida?

Mr. **Jamason**. All I know of the task force is what I read about in the newspapers.

Mr. **Bresher**. In fairness, I have met with them.

Mr. **Rangel**. You have taken the initiative. What we are asking is whether or not this task force has said: "We would like to bring you fellows together, we have a lot of answers, but we believe you have some of them, we would like to work together?"

We are not saying that they refuse to talk with you. We are just trying to find out whether or not you feel individually and collectively you are part of the same team. And that is where the breakdown is.

Mr. **Guarini**. So there is a breakdown in communication and transmission of ideas, and exchange of notes, that is absent, with the strategy that the task force has here in Florida. You are all working individually but you are not really collectively working as a team.

Mr. **Bresher**. I would agree with that.

Mr. **Rangel**. And if you are going to fail you might as well fail together and at least know all the resources that are available you are sharing.

Mr. **Jamason**. May I say one thing as far as the task force?

I believe when they first started they might not have realized the effect and the pressures they put on in the southern part of Florida, how it would affect us up here, further up the coast. And as a result of that tremendous pressure, the people have moved up here.

Mr. **Smith**. Let me give one indication of it.

One of the things mentioned in the first panel was Patrick Air Force Base. They have now included additional radar. There was a tremendous hole in the radar net with overflights coming out of the Bahamas which was not apparent until those flights started moving up the coast. They finally realized there was a big hole in the radar net. Now they have brought in the radar from Patrick Air Force Base.

That is a perfect example of what the chief just indicated. It is moving this way. Nobody anticipated that problem.

Mr. **Rangel**. Well, we are going to join with you as partners to see what information you can pull together. Congressman Lewis is going to be working with you, our staffs will be working with him. At least we can sit down and evaluate the problem and see how we can help each other.

Let us thank you for the frustrating time that you are going through. What you are witnessing here we just hope the rest of the country doesn't have to go through. We would like to join with you as partners to see whether we can develop a better way to handle this.

We want to thank you for your patience.

Mr. **Rangel**. Next we have the local drug abuse prevention and treatment panel: Mrs. Nancy Sayler, chairman of Gain Awareness Through Education, GATE; and from MARC, Inc., we have Mr. Jeffery Maumquist.

We have extensive statements from both of our witnesses. We want to thank you for your patience, because we are running behind time. If you would like to highlight the statements, summarize them, it would be beneficial so we can have the Members of Congress make inquiries.

Suppose we ask you, Mrs. Sayler, to testify first.

TESTIMONY OF NANCY SAYLER, CHAIRMAN, GAIN AWARENESS THROUGH EDUCATION

Mrs. **Sayler**. Thank you.

I am Nancy Sayler. I want to thank all of you for this opportunity.

I am a mother. I am a volunteer. I am a former teacher.

One of the things I have heard this morning over and over again is frustration. I have heard from the Federal people, from our local law enforcement efforts. There is something here that we have been overlooking critically and that is the area of prevention. Law enforcement is a very, very real and important part of this whole effort, and I salute them and support them 100 percent. But there have been many references today to the question of supply and demand.

I have heard many of these people on the front lines of this battle say: "If it were not for the supply and the demand, if we didn't have the people wanting the drugs, we wouldn't have this problem." And, gentlemen, the only way we are going to reduce that is by education and prevention. And unless we form a united front and we promote education, awareness, and action on the part of every single member of our society, we are not going to put a dent in this problem.

Unfortunately, the traffickers will find a way. The money is too good. But if we can reduce that demand and start with our children at the early ages so that they grow up with a drug-free attitude, a good sense of self, self-confidence and self-worth, and the education, and the information on which they can base the decision that every single child has to make today, and everyone in the 4 years I have been involved in this, I have to face the fact, too, that my two children are going to have to make a decision, not on the basis of what I have done, but on the basis of what they want for themselves.

I have a very important role as a parent and as a community person that I do what I can to help the community, that we join together to do this.

We have the Junior League of the Palm Beaches, which is a voluntary women's organization, took a stand on this 3 or 4 years ago. We formed a task force to investigate the problems here. Some of the highlights are in our statement. We investigated projects all over the country to find the most effective project we could utilize in Palm Beach County. We believe we found that project in GATE, Gain Awareness Through Education, which was developed by three sister Junior Leagues in Atlanta.

The whole purpose of the GATE project is to promote awareness, to educate based on the philosophy of primary prevention. If we can give our children a good sense of self, the appropriate, accurate, up-to-date information, they are not going to need drugs. And that is where we have to start.

In addition to that, we have to organize our communities, our teachers, our schools, our legislators, our law enforcement. We have to show our children that they are important enough to us that we are going to take a stand and we are not going to stand for this anymore.

I do not believe this is hopeless. And if there is any message that you take back with you to Washington, I hope it is we can stop it. We have to organize and we have to take action. But we can stop it.

Some of the recommendations that we have the GATE committee would like to make to you today, I would highlight only a few of them.

One of the first things I think is critical for you gentlemen and other members of our legislature, we need the active support, vocal active support of all of our community leaders in a role of prevention. We have to concentrate on the importance of prevention. We need support for voluntary organizations. There are volunteers all over this country, parent groups, that are taking strong stands and making things happen. It would be a lot easier for all of us if we indeed had that support of all our legislators and law enforcement.

Again, that we work together with law enforcement—we communicate and work together.

Another suggestion that we have, and I think this is crucial, too, I have heard a lot about the Forfeiture Act and the amount of dollars that have been taken from the drug smugglers. Use their money to promote prevention and education in the communities that they are flooding with drugs. We don't need a whole lot of money, but when Congressman Smith referred to 3 to 5 million dollars worth of real estate confiscated in the State of Florida, we could do a lot with $1 million, an awful lot.

That is just an example or a figure.

Mr. Rangel. We do have pending legislation that does that.

Mrs. Sayler. Wonderful. You let us know how to lobby and write letters and we will do it.

Use their money to reduce that demand.

In addition, I think there probably should be an investigation into the possibility of a national prerequisite for requirement for teacher certification and recertification, that these teachers be required to take an up-to-date, well done drug education course; that they learn the importance of developing and building up a child's esteem, methods of doing that in the classroom, as well as the accurate information that they can use in their own classrooms.

I was a teacher. I never had such training.

Mr. Gilman. Isn't drug education part of the State curriculum?

Mrs. Sayler. In the State of Florida, it is not yet. I understand that there is a move to recommend such in the State legislature, that all State universities be required to include this in their educational programs. Many teachers who are expected to teach about drugs in universities don't have the proper information on which to do it. Unfortunately, many of our textbooks don't have that information either.

I think the important thing that we remember is that if we do take a stand, we can stem the tide. It is not going to happen overnight because we didn't get here overnight. But we absolutely can do it. And we must. And our children are at stake.

There is one story that I would like to share with you that really made a difference with me. It happened a couple of weeks ago when I was on of the regular runs to the grocery store. As the bagboy brought my groceries out and put them in the trunk, he saw a bunch of materials we use and made a remark. As we talked about it, he indicated to me he had been smoking marihuana, all his friends did. Under pressure from his mother, he did some studying on his own. He said, "I realized I wasn't thinking very clearly and wasn't as motivated about things as I used to be so I quit it."

At that point I gave him a big round of applause right there in the parking lot and encouraged him to encourage others of his friends to do the same thing. As he walked off, he turned around and looked at me and said, "You know, it is nice to know that somebody cares." And I think that is what we need to show our children.

We are talking about lots of money, but most importantly, we are talking about lives and our children lives.

I think it is important to note, and I will say I overheard comments this morning unfortunately from reporters who said, "We don't need to come back this afternoon, it is just prevention and education." This should be one of the most important components in our fight. We need education, prevention, we need treatment, and law enforcement.

[The prepared statement of Mrs. Sayler appears on p. 168.]

Mr. **Rangel**. Tell us something about "Chemical People." All of us have just done public service television ads.

Mrs. **Sayler**. We are very grateful to all of you. The chemical people project is a national and local outreach program produced by WQED in Pittsburgh. It is a two-part telecast called the "Chemical People." The goal of the project is to have people join together in local town meetings, community meetings, watch the telecast together, become better educated and then learn how to take action in their own communities. It has to come back to the community level. It is a community problem.

Nancy Reagan is the host for this. I have seen the first show and it is beautifully done. There is a message there for every person. It is also a program that is being done nationwide. All of the communities in the country are being encouraged to organize meetings such as we are doing here. Over 300 PBS stations are showing the telecast. It is the first program of its kind in the country. I salute them for producing this, and I hope we will be seeing a lot more of these efforts.

Mr. **Rangel**. Thank you.

Mr. Malmquist.

TESTIMONY OF JEFFREY MALMQUIST, MARC INC.

Mr. **Malmquist**. Mr. Chairman, members of the committee, thank you for your invitation.

I am going to call the young lady, Kathy Ryan. When she was 13, she came home drunk. That was the first indication to her parents that she had any kind of a problem. They didn't know, like most parents, how large a problem this was. They didn't know if they might be over- or under-reacting. Mrs. Ryan said to her husband, "I think we might have a problem." He said, "I will have a talk with Kathy."

They went for a walk. Kathy said:

> The kids in school are trying it. I am 13. I thought it was time that I knew what it meant to be drunk. I didn't like it very much. It wasn't all that enjoyable, and I don't think it will happen again. I am not going to promise you, Dad, that it won't, but I don't think it will happen again.

He felt good. He had done his fatherly deed. He said to his wife, "We had a good talk, and this seems to be one of those hurdles of childbearing we had to come to, and now we are over it."

As the year went on, Kathy's problems grew. School discipline problems, her grades began to go, there was more use of chemicals. She came home with alcohol on her breath, smelling like marihuana. Her brother, a year younger, said to his mother on occasion, "I am worried about Kathy. Mom, I think we have a problem."

Her husband felt as if a finger was being pointed at him and he didn't know what to do. He did not know how to deal with this. And his reaction was to fold up, pull back.

Mom began a search. She went to a psychiatrist. She saw him five times. Never once did the psychiatrist suggest that Kathy come in with Mrs. Ryan. The psychiatrist prescribed medication for the mother. She sought help from the school. The school said, "Well, we are not sure why she is behaving the way she is. How are you and your husband getting along?" She didn't get the answer she sought there.

She talked with a priest, she talked with neighbors; didn't get any help. When she sought a drug assessment from a local counselor, that counselor met with Kathy and she and Kathy came out and said to the mother, "Kathy and I are not concerned about her use of marihuana. Kathy has agreed she won't keep drinking, but we are not concerned." Mrs. Ryan felt even more confused.

By the time Kathy was 15, she was staying out all night on the weekends. Mrs. Ryan recalls taking her daughter by he shoulders and shaking her and saying, "There is something wrong in this family." And her response to that was to look back up into her mother's eyes and say, "You are nuts, Mom. You are nuts." And Mrs. Ryan began to believe she was the one who was insane, that she should change and the family would be OK.

She went back to the psychiatrist, got admitted to the hospital, had a GI series done, nothing was found to be wrong with her. She felt lost.

At 16, Kathy was arrested for prostitution. And somehow Mrs. Ryan ended up at a meeting of an ALANON group. Somebody in the group said:

> Look, it is not hard to understand. Your daughter is in love with getting high. That is what comes first in her life. Her relationship with getting high is all important to her. That is what is going to be the significant thing in her life, and she will do anything she can to protect her relationship with modifying chemicals.

I have worked with chemically dependent adolescents since 1969 in many parts of the country. I currently work for a health care operation that has its home office in Jupiter, Fla.

Mr. RANGEL. What is MARC?

Mr. MALMQUIST. MARC is Management Advisory and Research Center. We have a variety of kind of health care facilities in different parts of the country, including an adolescent hospital, treatment hospital in Cleveland, Ohio, that treats chemically dependent youth and an adult hospital that treats adult alcoholics.

My area of expertise is adolescent dependent chemistry. We are a small proprietary organization. We receive no State or Federal funds.

Mr. RANGEL. Do you target in on narcotics and alcohol abusers or just generally health?

Mr. MALMQUIST. Let me put it this way: Since 1968, I have seen a number of chemical fads come and go. LSD was a very big concern sometime back. Amphetamines was another drug that achieved a great deal of press. PCP and Angel Dust have come and gone; Quaaludes, the Methaqualones, heroin, now cocaine. I am talking about chemical dependency. I am talking about a human being with a pathological love and trust relationship with getting high.

In the materials I provided you with, I gave you a definition of chemical dependency:

> When an individual loves the effects that alcohol and other drugs have on him, when he relies on those mood-modifying substances to feel good about himself, when his preoccupation with attaining those welcome effects occurs at the expense of his values and emotionality, when such use results in consequences that are recurrently hurtful to himself or others, and when he is unable to resolve this situation through his own resources, he has an illness called chemical dependency.

So we are not talking solely about marihuana or cocaine or heroin.

One of the common threats I have seen in the life of adolescents from 1969 to now has been alcohol, and that they love to drink, and they love to smoke grass. That has been the second most common threat in their life.

It is enlightening to hear about the efforts to stem the flow of cocaine into Florida. But I fully suspect within 2 years or 3 years we will be meeting and talking about some other chemical substance and neglecting to take a look at what we mean when we say chemical dependency.

I am concerned in communities here in south Florida and throughtout the country we are still having to pick up the pieces of the Kathys at 16 rather than creating the educational components we need to begin identifying Kathy at 14. Most of us could easily identify late-stage alcoholism or late-stage chemical dependency in an adolescent. We know what that looks like. I think the challenge that is before all of us who are concerned about this problem is to get some education so that we can start to assess this illness earlier in its progression.

We can treat them effectively. And I think that we have state-of-the-art treatment models in various parts of the country.

Not many communities know what state of the art treatment is, nor do they know how to go about getting the programs put into place that are going to help professionals, the medical profession, clergy, educators, juvenile court services personnel, parents, in fact all those people that Mrs. Ryan came in contact with.

I think a better educated community that knows something about chemical dependency and knows what constitutes effective treatment would have been able to help Mrs. Ryan when Kathy was 14.

One of the things that I believe we can get by doing that is an increased sophistication in our case-finding methodologies and referral mechanisms. We can get that. I think that has been demonstrated in some of the communities with which I have worked over the years.

Mr. RANGEL. Has your outfit written anything on these modalities that you are talking about? Any literature that we can take back with us?

Mr. MALMQUIST. I may be able to provide you with some later tomorrow. I don't have any with me today.

Mr. RANGEL. OK, we will be here tomorrow. At that time I will allow the record to remain open so that perhaps you can share some of those suggestions with us.

[The prepared statement of Mr. Malmquist appears on p. 188.]

Mr. RANGEL. Are there any members that would care at this point to inquire?

Mr. LEWIS. Mr. Chairman, I would like to ask Mrs. Sayler a couple of questions.

When did your group first study the drug problem in Palm Beach County?

Mrs. SAYLER. I believe there is a typo in my report. I believe it was in 1980 and 1981 that we first organized a task force officially as a project. The year before we had in our class of provisional members quite a few members interested in it.

Mr. LEWIS. You made the study. What was the reaction of the community to you making the study?

Mrs. SAYLER. Mixed reactions. We had committees set up to interview law enforcement and school teachers and guidance counselors and parents. In the law enforcement area, we got the unified record codes of the sheriff's department and identified the rise in juvenile crime in a 4-year period, and it more than doubled in those 4 years in the unincorporated areas. That did not include the city limits.

In interviewing the law enforcement officers, they agreed the overwhelming majority of those crimes were due to drug use. We requested permission to do anonymous research in the schools but we were not granted that permission.

Mr. LEWIS. How do you feel your program has affected the level of use in Palm Beach County since it has been in operation?

Mrs. SAYLER. Unfortunately, and I think that is probably one of the reasons that prevention has not been given a high priority, it is very, very difficult to assess the effect of a program. It is like working with a fourth grader and you are trying to instill in him some attitudes and values but you have to wait until he is 14 to see if he is going to use drugs. Our project was based on a study that was done in Napa Valley, California, by Pyramid, which is the federally funded prevention branch of the National Institute of Drug Abuse. They tested various approaches to the drug abuse problem over a 4-year period and studied the students' attitudes. And the approach that GATE uses is the one that time and time again proved itself to be the most effective.

Mr. LEWIS. Thank you.

Mr. Malmquist, do you think the State of Florida and the Federal Government are adequately addressing the need for treatment services?

Mr. MALMQUIST. I think that both the State of Florida and the Federal Government could benefit from better education. I think we are picking up the pieces of a lot of these kids late in the illness progression. And I think with better education we could recognize that the problem was much larger than we currently estimate. Many of the need formulas for health care beds are established on outdated considerations of drug abuse descriptions and alcoholism definitions. And I think once we get a better educated group of health care planners in state organizations and at the Federal level, I think we can begin to better determine what levels of services we really need.

An example of what has happened is our organization filed a certificate of need to build a specialty hospital here in south Florida for the treatment of chemically dependent adolescents. The certificate of need was turned down by the state in the first review of it saying there are currently sufficient health care beds to meet the needs of adolescents in trouble here in Palm Beach County.

Mr. LEWIS. Thank you.

Mr. RANGEL. Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman.

I certainly want to commend both of the witnesses for their interest, Mrs. Sayler especially for the kind of interest as a parent and as an activist in the community. It is obviously something we need desperately.

You have heard while we are trying to interdict it off our shores and once it gets here, you have seen the results of something that is not working 100 percent. I have seen it, too. We all know what is going on in the schools—from the time my kids were in the seventh grade and came home with stories about going out to lunch and seeing kids in the local video game parlor peddling minimum amounts, but still drugs, of marihuana and Quaaludes. So we know it is there and it is pervasive and all the horror stories.

Mrs. Sayler, I am curious about how you feel that your group has been able to be accepted in the community and whether or not it has generated the kind of support that you felt it should generate as a result of the work that it does, or are you to some degree disappointed that more people really don't join in?

Mrs. SAYLER. As far as the GATE project itself, we have received overwhelming support, financial support. We cannot field the speaking requests we have in schools.

We are somewhat disappointed in the response of parents. I think there are several reasons for that. I think many times parents have gone to presentations and have not been given the answers and the information that they want. They have been burned and they hesitate to go again.

At the same time, though, we are finding that parents really are hungering for that knowledge. They want specifics. They want facts on which they can stand and base their decisions at home, and they want to know what they can do to keep their children drug free. We have been able to offer that to them.

It is very, very difficult for one organization and one project to cover an area the size of Palm Beach County. I am proud to say that other Junior Leagues around the State, at least four others, have also adopted the GATE project and are working at the same level we are. We cannot do it by ourselves.

Mr. SMITH. How much do you feel there is either from apathy or a feeling they don't want to do anything on the part of parents, and how widespread do you think is the drug use in schools here?

Mrs. SAYLER. I can probably let you know a little bit better about the supports of parents after the chemical people project because in the 31 town meetings we are forming, giving parents an opportunity to become more educated and get involved, we will see what kind of response we get to that.

I believe probably in the schools anyone that works in the schools will say definitely, to be honest, they would have to say there is a very real problem. There have been many attempts, some of them successful, on eradicating it on campus. But I have talked to many, many children and I think it is a really sad state of the times when you have to interview your babysitters before you can have them babysit and take care of your own children. I have asked many of my babysitters their perspectives on the drug problems in their schools, and I have yet to hear one tell me there is not a parking lot at their school that is not full of pot-smoking kids.

I know the school board has recently adopted a philosophy, and we are making efforts to stem this. But again it has to be a group effort.

Mr. SMITH. Mr. Malmquist, tell us a little bit about your organization.

Mr. MALMQUIST. MARC is a health care corporation, been in existence for about 17 years. I think the State of incorporation was Pennsylvania. We have a variety of health care facilities, primarily in the Northeast part of the country, Massachusetts, Ohio, Pennsylvania.

Mr. RANGEL. New York?

Mr. MALMQUIST. We are interested in New York, but not at the moment. We, over the last 4 or 5 years have begun to explore what kind of a contribution we could make to the treatment of chemically dependent persons.

Mr. RANGEL. How many centers do you have in Florida?

Mr. MALMQUIST. We have only the home office in Florida. We have no treatment centers in Florida. We have an interest in building a facility, a health care campus here in the north end of Palm Beach County, as I mentioned in response to Mr. Lewis' question, and we are in the appeal process with the certificate of need here in the State of Florida to go ahead with that project.

Mr. SMITH. Does your organization qualify for third-party pay in medicare or private insurance plans for treatment of alcohol or chemical dependency?

Mr. MALMQUIST. Our hospitals are the only two freestanding specialty hospitals in the State of Ohio. They are accredited through the Joint Commission on the Accreditation of Hospitals. Both our hospitals have 3-year accreditations at the institutional level. We do receive payments from virtually all of the major health insurance companies. We do not accept medicare or medicaid patients in our hospital because of some formula as to the total of patient population that you have to have.

Mr. RANGEL. Mr. Smith, Mr. Malmquist has offered to submit some more information to the committee tomorrow, so we would have a better understanding.

Mr. SMITH. OK, just one final question.

The drug problem in the schools, as you see, since apparently you have some—would you say in the last 4 or 5 years the use of drugs among young people in the neighborhood of the 10-to-17-year-age category has increased, decreased, remained the same, and if there has been any change, in what substances? You went through the litany of substances. But has there been an increased dependence upon one as opposed to any others?

Mr. MALMQUIST. I think here in south Florida what we found in the schools is that there has been an increased use of cocaine among the students and that to me is a particularly dangerous drug because it is so highly euphoric, and also so expensive. I don't think the problem on the student level has gotten worse. It has been consistently bad. I think our awareness of it ebbs and flows. Our taking a look at how serious the problem is has peaks and valleys. But from the standpoint of treating kids, I designed and set up and directed the first adolescent treatment program in a hospital setting, at St. Mary's Hospital in 1974, and have helped on a consulting basis establish several others since then.

I think we see a consistent patient population from junior high schools and high schools. The fact that they use a variety of mood-modifying substances is confusing to a lot of us from the standpoint of coming up with effective prevention programs and from the standpoint of having to keep it out of the country.

Mr. GUARINI. Are we learning a great deal scientifically?

Mr. MALMQUIST. Yes. One of the real difficulties is that this is not a popular subject. When money is spent on the research into treatment efforts for illnesses and the causes of illnesses, the dollars spent per cancer victim and heart disease victim are very, very high compared to the dollars spent for drug abuse, chemical dependency, or alcoholism. That is something I think we need to change. If we are going to be serious about this problem, not only from the law enforcement standpoint of stopping this material from being brought into the country, that is one element.

Another strong element, I think, is that we need to do more research. I would encourage you to speak with Dr. Bud Maer, the current Administrator of the Alcohol, Drug Abuse and Mental Health Administration.

Mr. GUARINI. Are private foundations very generous in regard to helping out in research and prevention?

Mr. MALMQUIST. Let me say they are cautious. One of the things that we want to do, we are working with Dr. George Christakis, a research scientist in the School of Medicine at the University of Miami. We want to do a research project that will help us come up with a more definitive diagnostic test for adolescent chemical dependency. We think there are now some learnings we have all had in the country that point to some specific chemical indicators that have to do with brain chemistry, that have to do with various synaptic chemicals that may be absent that allow the person who does use alcohol and marihuana to experience a particular kind of euphoria. We are on the edge of some effective learning, I think, that could benefit us all.

Mr. Gilman. Mr. Chairman, I would hope that both Mr. Malmquist and Mrs. Sayler, as you are out there in the public, that you are not saying it is wholly educational. While education is important, that is only part of the problem, of course. Unless we continue in our efforts to eradicate, to interdict and cut down the supply, that is another important aspect. Just educating people isn't going to accomplish and have the result, as we know with smoking to be or drinking alcohol.

While we have educated the public about the dangers of these problems, it continues as long as that supply is out there. And we certainly need to do a great deal more in treatment and rehabilitation and eradication and interdiction at the same time we are educating.

I heard some statements made, I think it was Mrs. Sayler that said all we need is good education.

Mrs. Sayler. I said there were three very important components, and prevention was a very important component. I also said I am very, very supportive of law enforcement efforts. In addition to that, there have been a lot of arguments against the money spent on law enforcement. We cannot lower those efforts. You cannot tell the children one thing and then let it turn around and come in. The same with the legalization issue. I would hope you would take a very strong stand against the legalization issue.

Mr. Gilman. With regard to Chemical People, I think that is a great idea. I would hope you can continue to urge not only training and self-education, but community involvement with parent groups, taking on their own activities in each community, giving support to everything we are all trying to do. Thank you.

Thank you, Mr. Chairman.

Mr. Rangel. Would you agree, Mrs. Sayler, there are different problems in educating the children depending on their economic and social backgrounds? We have found some effective middle-class programs that do quite well in education. By the same token, where we have a lack of a family structure—you run across a lot of other social problems in getting this across to the youngster. In addition to that, I don't know whether our spiritual leaders are as informed on this aspect of education as they could be in terms of the church being a source not only of spiritual guidance but education.

Is that a part of the GATE program?

Mrs. Sayler. Yes, very definitely. In reference to the churches, we just finished a month-long seminar at our church from which we gained a lot of active volunteers for the chemical people project. It is crucial that we get this through our churches.

Mr. Rangel. Is this a national thing? You have impressed us with your energy, your concern, your optimism, and we are with you. We are trying to find out whether the work that you are doing, do you feel that it is being done on a national basis rather than just what you are doing here?

Mrs. **Sayler**. I feel that with the increase in the number of parent groups in the country, that that is a very real indication that these kinds of efforts are underway. With the extensive training in public speaking and drug research materials we do, obviously you have to have some money with which to buy the materials and supply the training for your volunteers. But there are over 5,000 parent groups now in the country, making the same efforts that we are, to educate themselves and to also take specific action in their communities.

In answer to your question on the minorities, the crucial part of drug abuse prevention is how the child feels about himself. And unfortunately in the lower-income families where there is a lot of frustration and very little money and very little support, it is difficult for a child to feel good about himself. This is where I personally believe the importance of the teacher, education, comes into play, because many times I as a teacher had that contact and rapport with a child that he was not getting at home, and I played a very real part in that child's life.

If all of us as teachers had the information and background and the concern, then we could help those children who cannot get it at home.

I would like to tell you about another program in effect in Palm Beach. It is a Florida project that I would hope to see adopted around the country. It is called Alpha. It identifies high-risk children in the lower grades, children that are from broken homes. They are exhibiting problems in school, whether they be emotional or academic. These children are identified, put in a special program for 6 months. The parent or parents have to attend counseling and work with the child and the teachers. It is my understanding it has been very, very successful with these children.

Again, we are getting them early. We are giving them the individualized help they need within the schools. The parents are getting the courage they need to cope.

Mr. **Rangel**. You see, the question Mr. Gilman was asking is once you find dedicated people like yourself that can identify the problem in the early states, whether or not the resources are there to give assistance. I wasn't really talking about just minorities. I am talking about those that come from communities that really don't have the money to provide those services. We hope to hear your voices as they relate to this. Because you cannot just say education and then we are down in Washington cutting the budget. We have to hear your voices in a political tone saying that while we do want to cut back on wasteful spending, there is certain spending totally necessary.

Once you identify a problem and then find out there is no counseling available for the parents, for the child—and then again you feel frustrated that you have identified a problem but no one is listening.

So congratulations on the work you are doing. We hope to hear more from MARC as to what you are doing in Florida with a main office and no treatment facility.

We will be working with you on that.

Thank you so much.

Mr. RANGEL. Our last panel is the educational efforts panel. We have the chairperson of the Palm Beach County School Board, the Honorable Paula Nessmith; Mr. Gary Frechette, program specialist, department of school board safety, Palm Beach County School Board; and Judge Hugh Glickstein, from the Fourth Appellate Circuit. And we also have with us the health educational consultant from the Florida Department of Education, Dr. Michael Tremor.

Each of your statements will be entered into the record in its entirety, in order that the members would have the maximum time to ask questions.

I would suggest you highlight your statements and give us more time to ask questions.

TESTIMONY OF HON. PAULA NESSMITH, CHAIRMAN, PALM BEACH COUNTY SCHOOL BOARD

Mrs. NESSMITH. Good afternoon, Mr. Chairman and members of the board.

I would like to be here this afternoon and tell all of you here in Palm Beach County we do not have a drug problem in our school system, but unfortunately I cannot do that. Palm Beach County just like every other county does have a problem with drugs and substance abuse in our school system.

One of the keys to finding an effective solution to any kind of substance abuse we think is consistency. I am going to refer to the word "consistency" quite a few times in my presentation to you today.

The first way we think we can achieve consistency within our school district is through the adoption of a drug education philosophy. Our school board did this, this year in June 1983. One of your attachments is our statement of philosophy regarding substance abuse in Palm Beach County. We are taking a firm stand against any use of illegal substances by the students. At the same time we feel we have to recognize that drug abuse or substance abuse is often just a symptom of another problem and the school at this point has to seek to provide a humane atmosphere where the students can learn to make some sound decisions. We feel that includes the decision whether or not to use drugs.

As we have already stated, another important area where consistency is essential is in our district's own approach to the enforcement of the rules against drug possession and drug sales. We have developed a district-wide code for student conduct and we expect our students to abide by this code. A specific statement in this policy defines as a serious misconduct the possession, use, or selling of any mood-modifying drug or substance including alcohol. The policy also states that such serious misconduct shall be subject to action by legal means including expulsion from school.

The school board this year, or the last few years, has sent a very loud and clear message to our superintendent, to our principals, and to our students that we will not tolerate substance abuse. We have appropriate punishments for any drug-related misconduct. The board has consistently supported the superintendent and principals when they were applying any kind of expulsion in these matters.

Attachment C that I have given you shows the administrative directive which details penalties for drug abuse.

Another important area is the enforcement of the rules that we have set out for our students. This includes the addition of security personnel with arrest powers on our school centers. This is something that we did not have in the past. These security investigators as we prefer to call them are responsible for reducing the incidence of drug use on the secondary school campuses. The security department also maintains a program specialist as a regular employee. An important aspect of that person's job is drug education. And we believe this should be from kindergarten through the senior high school.

Again we are getting to drug education and we on the school board believe that consistency is the keyword. We know that parents are no longer going to listen to the stories they heard before. We know that children are no longer going to be scared by stories about drug abuse. Unfortunately oftentimes these things are glamourized. We know that they need to have accurate information about drugs, and we know that they need to know their effect. But we also know that is not enough.

We have three measures to help provide an effective and consistent drug education program in our school system. The first thing that we have done is develop a unified curriculum program in the health area reaching students from kindergarten through the senior high. We revised this program in the summer of 1983 and it includes substance abuse information appropriate for every grade level. We feel it is important that the information we give our students be appropriate for their grade level.

The development and dissemination of a drug education resource list is available to people working in the school centers so that they can provide programs not only for their students but for their parents and for their faculty.

An essential component for consistency in all educational programs is an ongoing in-service program for teachers. We feel that the teachers need to be aware of what is happening in the community and that they be kept aware and up to date as to what we are doing and what the community is doing.

One final aspect of a consistent program is probably the most important and that is again parental and community involvement. We feel it is imperative that our children receive the same message about drug abuse and substance abuse from everyone, from the schools, from the home, from the churches, and from every other segment of the community.

The schools need to recognize that we cannot fight this battle alone. In Palm Beach County we have worked toward this goal in many ways. We have formed a superintendent's drug education committee, consisting of school personnel, representatives from law enforcement, area treatment facilities, community agencies, and parents.

This committee has been responsible for linking the school district to the many partners in the fight against drug abuse. We have implemented parent awareness seminars to the parents' study program. This is a group that meets with parents to work with them and educate them about ways to deal with problems with their children.

The district is cooperating with the Junior League in implementing the chemical people program. We are providing space in 30 of our schools for the program as well as training service center volunteers to participate in panels and as task force participants. Many of us in the school system are serving on the Chemical People Committee.

We hope this will be a chance to reach many members in our community telling them about drug abuse and reach members who would not be reached through the school system. Unfortunately when you have programs for parents in the school system, if their children sing and dance they are all there in the front row. When you want to talk to them about a problem that we feel is serious, they tend to put their head in the sand and it is very difficult to reach parents until their child has a problem. And sometimes even then they do not want to recognize the problem.

I think personally that it took us a while in the school system to have enough nerve to say to the public, yes, we do have a problem with substance abuse in our school system, and yes, we are going to do something about it, but no, we cannot do it by ourselves.

In summary, I want you to know that we know that substance abuse exists in our community and in our schools. We know that the school cannot solve this problem alone. We know that we cannot bring a panacea. We know no one program we offer is going to take care of educating all of our people about substance abuse. We feel it is important that we provide sound drug education programs, aggressive enforcement of the rules against drug use, and an active and positive campaign in all segments of our community.

We feel we also have to look to government at the Federal, State, and local levels to aid us in our effort. And yes, we are willing to trim our budget and we hope that you will trim your budget. But we are asking loud and clear that you do include us and that you do remember that we do need your help in fighting drug abuse in the schools in Palm Beach County.

Thank you.

Mr. RANGEL. Thank you.

[The prepared statement of Paula F. Nessmith appears on p. 195.]

Mr. RANGEL. Mr. Frechette, would you care to summarize your testimony?

TESTIMONY OF GARY FRECHETTE, PROGRAM SPECIALIST, DEPARTMENT OF SCHOOL BOARD SAFETY, PALM BEACH COUNTY SCHOOL BOARD

Mr. FRECHETTE. Yes, Mr. Chairman, members of the committee, thank you for this opportunity. You have a copy of my statement. I want to highlight two very important points.

Mrs. Nessmith has summed up correctly. I am in the department of security. I was in law enforcement here in West Palm Beach. I quit. I was in narcotics and vice. I got tired of busting the little guy. I said there had to be another way, and that was through prevention and education. I went to work for the school system.

When I went to the school system nobody was doing anything about drugs. I said it had to start on a lower level, because I have young children. I took a 1977 copy of the Drug Enforcement Agency's "Katy's Coloring Book" and looked at that. I said I like it. I said I think kids can understand this book. I made some copies of it.

I went into a classroom, a kindergarten. Yes, gentlemen, here we start teaching our young kids in kindergarten and first grade about drugs. And we use "Katy's Coloring Book." The reason you do not have them as an attachment to my statement is there are no more books available. And that bothers me. And you have been asking all morning what can we do. Please go back to Washington and tell the Printing Office to start printing those again.

I have all the children sit around close and hold hands. I show them the cartoon characters, we talk about drugs. Cigarettes and alcohol are drugs, too. And during the whole program for 20 minutes there is a motto, "Only sick people need drugs." If you are well and you foolishly take drugs, you are going to become sick. So I started to use behavior modification, peer pressure, and brought all the kids together. I said hold hands and every time one of the cartoon characters, a giraffe, comes up say, "Only sick people need drugs," let's scream loud and stamp our feet. The first time all the kids whispered. I said, "What's the matter, I can't hear you. Excite me."

And they looked at the teacher, because all the time in schools the teachers say, "Be quiet." So I am getting these kids excited. The next time they scream real loud. And they start smiling. They start believing it. Peer group. Peer pressure. A coolness of a young generation believing we do not need to take chemicals to change the way we feel. That was September.

December of that year minding my own business, 3 days before Christmas, trying out the new toys in the toy section. A little boy screams out, "Hey you, Mr. Giraffeman, only sick people need drugs" and he was pointing right at me. I felt like one of the little blue-eyed specials they run all the time. And I turned red. I was embarrassed at my own program. I ran over to the little boy, picked him up and gave him a hug. I said, "You did real good." He said, "Yes, only sick people need drugs."

At that point his mother came running over. I said, "I am Gary Frechette. I work with the school system, I believe I gave this program to your son in September." She said, "I want to tell you a story, Mr. Frechette. My husband has been smoking cigarettes for 15 years. He has tried everything. He knows he should quit. Every time Dad lit up, Junior got his giraffe or he just looked at Dad and said, "Dad, only sick people need drugs." After 2 weeks the father said, "I cannot take this any more. I am going to quit." And he quit that day, gentlemen, cold turkey. He does not know what he has done for his son.

The wife went on to say an insurance salesman came in after the husband stopped smoking, sat down, and said, "Do you mind if I smoke?" As soon as he started, Junior said, "Only sick people need drugs." He went back to his bedroom. The insurance salesman said, "Cute kid."

So I know something as simple as a coloring book that the U.S. Government put out in 1977 can work for these little kids. It really does.

And the other problem I have, my responsibility, is to do drug awareness programs for parents. I will be doing one this evening at 7 o'clock. I did one last month at Jupiter High School. You know how many parents showed up? Three. I did one at North Shore High School. How many showed up? One. There is a problem out there with awareness. They are not coming out to find out. They are sticking their heads in the sand.

Tonight I am going back to Jupiter. I hope I will have a few more there. I will do it for 1 or 100 because I feel I have dedicated myself to that question. If I can get any of my 5- or 6-year-olds to help you stop those countries from bringing those drugs in here, we are behind you 100 percent.

In law enforcement I believe as you heard from the chiefs this afternoon, I am behind them 100 percent. If you can cut off that foreign aid to Colombia, cut off that foreign aid to the other countries supplying and knowing it is coming in, it is going to help. It is going to help us with these little 5- and 6-year-olds, so that availability will not be there for them and the temptation will not be there for them.

Gentlemen, thank you.

Mr. RANGEL. Thank you.

[The prepared statement of Gary Frechette appears on p. 204.]

Mr. RANGEL. Judge Glickstein.

TESTIMONY OF HON. HUGH S. GLICKSTEIN, JUDGE, FOURTH APPELLATE CIRCUIT, CHAIRMAN, FLORIDA STATE BAR COMMITTEE ON THE NEEDS OF CHILDREN

Judge GLICKSTEIN. Thank you, Mr. Chairman.

First I want to thank Congressman Lewis for making it possible for me to be here. His office has been very responsive to our concern. His office has been very concerned with the needs of children. We have communicated with him in that regard. I want to thank Congressman Smith also, who has also been most responsive to my providing materials as to what the Florida bar has done. He has made sure that your other congressional committee, your Select Committee on Children, Youth, and Families, has received the materials that I have sent to him. I am sure they will have a lot of material for their hearing on Friday, because of his efforts that I have tendered here today. As the organizer and chairman of the Florida Bar's Special Committee for the Needs of Children, we are concerned with across-the-board needs.

I want to read you very briefly the purpose of the committee, because I consider it to be one of the real reasons that I am here. It says this:

> To raise the consciousness and support of the leaders and citizens of Florida in order to achieve the commitment of resources—tangible and intangible—to the needs of children based on the following premise:
>
> "It would be society's greatest reward—tangibly and otherwise—were the future inhabitants of this State able to look back to the 1980's and reflect how their predecessors finally came to recognize the priority to be given the well-being of children. Such future citizens would undoubtedly be the beneficiaries from (1) our present awareness that children are our most precious gift and entitled to enjoy the happi-

ness which only adults can provide; and that they are our only priceless commodity—the key to the well being of society; and (2) our recognition that without prioritizing the physical, emotional and educational needs of children, all the efforts to eliminate crime, poverty and ignorance are only kneejerk, bandaid solutions which cure none of society's basic ills."

Now, there are a lot of good news—bad news stories floating around. The good news story that I want to pass on to you folks is that you have the opportunity to do something that we volunteers do not. That is, you are able to in your everyday vocation attend to the needs of children in the direct performance of your duties. You can legitimately say to your constituents that you are devoting material portions of your workday to these needs.

The bad news I know is double. No. 1, that the needs of children are not this Nation's only problem. But I suggest to you children do not have the opportunity to regularly communicate with you directly, and they are in competition for your time with adults that do make efforts to communicate with you as often as necessary to obtain your support for their projects.

I realize that adults speak for children, too. I was thinking in preparing an opinion the other day that the difference between Moses and the modern legislator is that Moses just had to listen to the Almighty. But Moses did not have a telephone. And I realize how you folks are contacted time and time again. But I suggest to you that without the predominant attention to the needs of children—not only in the area of drug and alcohol abuse, but across the board—this country is in terrible shape. And I do not believe in dealing with things as half empty. I believe in dealing with things as half full.

Mrs. Sayler, who appeared before you earlier, really is quite modest. She really did not tell you the marvelous job she is doing with Chemical People here in Palm Beach County, nor did she tell you the response of the citizens of Palm Beach County to that program. You know there are 300 people who have already volunteered, corporations have volunteered. We are hopeful that this program may be the same turnaround for Palm Beach County that it was for Pittsburgh.

You have to understand that this is a national concept and a State concept, that throughout Florida communities hopefully are banding together and responding to the awareness that drugs are just eating us up alive, and alcohol is eating us up alive with our children.

So my purposes then are twofold. No. 1, to hopefully solicit your commitment to the same purpose that the Florida bar has recited in its statement of purpose. And No. 2, to show you blueprints for action by Congress and others.

I have a question really for the committee. Does the Senate at this time have a committee directed to the needs of children commensurate to the House Select Committee on Youth, Children, and Families, or does it have but a caucus? I suggest that the efforts of the Florida bar—and I know how much material you are being given to consider. But if you have got the time, I hope that you will give a minute or two to look at the structure of the committee that the Florida bar has created, because it will show statements of purpose for 10 different committees, subcommittees. Now, those subcommittees address areas of children's needs, and of course drug and alcohol abuse is a very important subcommittee.

Mr. RANGEL. Do you have a copy of that statement, Judge?

Judge GLICKSTEIN. Yes; my statement contains an appendix and a supplemental appendix. And I urge you to review the appendix and the supplemental appendix because that appendix which contains the structural organization and statement of purposes of the different committees directed to the needs of children not only can be used by bar associations throughout this country, but medical associations, pharmacists' associations, chambers of commerce, junior chambers of commerce, engineering and architectural associations.

I am telling you, gentlemen, there is not one area of intellectual civic attention that should not have a focus on children's needs.

The second blueprint I have provided for you is in my supplemental appendix. That is the Broward County safe school program, which shows you how the school board of Broward County—and you have to understand, I am a judge of the Fourth District Court of Appeals which encompasses six counties here in southeast Florida, and my court is located here in Palm Beach County. But I live in Broward County, where I have lived for over a quarter of a century, and where I have practiced law for over 22 years before becoming a judge. So I am deeply concerned, not only about Palm Beach County, but also Broward. And I have tendered to you the blueprint for use by other communities throughout this State and throughout this country of the Broward County safe school program which has its peer counseling and has its parent counseling and has its family counseling. Drug abuse is just one arm of the octopus, as you know, in terms of the family structure.

So I have said my little piece.

Mr. RANGEL. And you said it eloquently, Judge.

Judge GLICKSTEIN. Thank you, Mr. Chairman.

Mr. RANGEL. I am certain we have some questions for you. But we would like to round out the testimony of the entire panel first.

[The prepared statement of Hon. Hugh S. Glickstein appears on p. 208.]

Mr. RANGEL. Dr. Michael Tremor will share his views with us.

TESTIMONY OF MICHAEL TREMOR, HEALTH EDUCATION CONSULTANT, FLORIDA DEPARTMENT OF EDUCATION

Mr. TREMOR. Thank you, Mr. Chairman. I appreciate you letting me go a little out of turn.

I am speaking for Commissioner Turlington who was scheduled originally for tomorrow. He does express his regrets that he cannot be here.

I am the health education consultant for the department of education. That means I am also the drug education consultant and the sex education consultant and the mental health education consultant and the disease prevention consultant. The point I am trying to make, I do not think it is untypical of other State departments of education, is that there is probably good news and bad news about drug education in the schools of Florida.

In Florida the good news is that the legislature has made some commitments to drug education. Florida's Comprehensive Health Education Act specifically recognizes the need for drug and alcohol abuse education. The idea of comprehensive health education is that the most effective approach is to teach students all the things they need to know to protect and promote their health in a coordinated and sequential manner before they become crises throughout their educational career.

Since 1974 the legislature has appropriated an average of over $1 million a year for local school districts to develop health education programs. Drug abuse education is specifically mentioned as a topic to be addressed at each educational level. But it is only one of many topics to be addressed in that program.

The bad news is that such a coordinated comprehensive program is not always implemented in a systematic manner. For a number of years the Florida educational system, like those in many States, has operated under the philosophy of local control. What is to be taught, to which students, are decisions reserved to local school boards, district and school staffs. There are no State curriculum guidelines. While a number of Florida school districts, usually the larger urban, well-staffed ones, and particularly those in south Florida, have implemented excellent programs in drug abuse education, intervention, and counseling, in too many districts such efforts are fragmented, haphazard, and reach only a limited number of students for short periods of time. Sometimes that is only a one-shot presentation from someone in the community.

This seems to be changing in Florida. The legislature this year has established statewide minimum graduation requirements including a course that includes drug education as one of the main topics. This is a major step to assure that all students receive at least some instruction in drug abuse prevention.

In spite of the legislature's limited commitment to health and drug education, which came as a result of spirited advocacy by parents and professionals and citizens, drug and health education are not high priorities. Emphasis on basic skills and traditional academics, especially math, science, and writing, have held the attention of educators. And it is essential that these very important educational needs not overshadow the need to teach our children something about getting along with themselves, about building self-esteem, about learning coping skills, and about learning there are better ways to deal with the fact that life can be very difficult than through self-destruction and escape.

On the other hand, we must realize that the schools are called on to do many, many things besides preventing drug abuse.

In a survey in 1981, 84 percent of Florida school districts specifically mention providing some drug abuse education. I do not believe there are many students in Florida of any age or from any special group that are not receiving drug information, drug abuse information. How much and what kind varies infinitely. I would estimate a total of about 13 weeks in 13 years would be optimistic as an average. In some places schools have developed and implemented excellent drug abuse programs, and local treatment and prevention agencies, parent organizations, have all done very much to impress school officials with the need to address this area. They have become real constructive partners in this effort.

Public officials in Florida are more and more beginning to take leadership in identifying this problem, in fighting the war against drugs. Communities all over Florida are organizing for the Chemical People campaign in November, and the result should be a new level of awareness, commitment, and cooperation to combat this problem. And I suggest that is probably our most important need.

I think an important thing our leaders can do is to make it clear to teachers, principals, superintendents, school board members, and educators at all levels, as well as parents, citizens, and students, that providing students with effective instruction to understand the consequences of drug abuse and to develop their skills to make wise decisions about the subject is of the highest importance.

Funds are always needed to get things done. But I believe funds to promote collaboration, coordination, and awareness at the national, State, and local levels are more important than development of new prevention models. Funds to support implementation of existing programs, not just for more research and development, are important.

If I may, just a few specifics. Some ideas for some specific action.

I believe that Federal funding of a drug education specialist in every State Department of education would do much to facilitate the awareness, collaboration, and implementation I have been talking about, along with a modest budget to provide for some curriculum review and adaptation by local teams for some dissemination of instructional materials, and for meetings to promote awareness and collaboration; $50,000 in this State would go a long way to make an impact statewide, I believe, on drug education in the schools.

The Federal Center for Health Promotion and Education at the Centers for Disease Control has helped support the development of the school health curriculum projects, a comprehensive health education program for K through 7. I believe it is the very best health education program in the world. It is very expensive and school districts must struggle to find the funds to implement it. Florida has more classrooms implementing the program than any other State. But that is only a small percentage of our schools.

I believe support for this Federal program is a very good investment, as well as the new secondary level program that has recently been developed.

Thank you.

Mr. Rangel. Thank you.

[The prepared statement of Michael Tremor appears on p. 233.]

Mr. Gilman. Have you developed a statewide curriculum for drug education?

Mr. Tremor. This year there has been an effort to develop some uniform course descriptions and curriculum frame works but the Department of Education has not been in a curriculum development mode for some years.

Mr. Gilman. Have you developed now some guidelines for the individual educational districts?

Mr. Tremor. Essentially guidelines for drug education will probably not be coming out of the Department of Education.

Mr. GILMAN. How is the $1 million that you talk about being utilized?

Mr. TREMOR. It all goes to the local school districts, divided up on a student population basis, to fund programs designed and developed by local school districts.

Mr. SMITH. They can choose not to participate in the program.

Mr. GILMAN. What portion of your school districts do have a drug education program?

Mr. TREMOR. Well, again, I would say every school district, every school is doing, addressing drug abuse, drug education to some extent. It may be a unit in a textbook, it may be a topic teachers address as they feel appropriate.

Eighty-four percent said they did drug education. I am sure there is more than that that actually do it. How many have a full-blown drug education policy and program such as we heard described today? Probably about half.

Mr. GILMAN. You don't know really what is being done.

Do you do any oversight at all from your department?

Mr. TREMOR. We audit school districts on a basis of about 15 a year, 10 to 15 a year.

Mr. GILMAN. Out of how many districts?

Mr. TREMOR. Sixty-seven school districts in Florida. It takes about 5 years to complete a cycle. The Department of Education is very sensitive to data collection, in trying to reduce the burden on teachers' paperwork, and there has not been any substantial drug education survey by the Department of Education.

Mr. GILMAN. What are your thoughts about it? Don't you think some impetus from the State would be beneficial in this area? We heard all of the people talking about the need to put some emphasis on drug education as one of the basic components in our war against drugs, and here you are in the State education agency, and really what are you doing there to implement this educational program?

Mr. TREMOR. The legislature and the department of education and many of the components of the school system in Florida adopted the practice of local control.

Mr. GILMAN. What you are saying is——

Mr. TREMOR. The philosophy was that educational decisions should be made by those closest to the learners.

Mr. GILMAN. State education isn't doing anything then.

Mr. TREMOR. We are doing a great deal, but not in terms of uniformity. We are giving school districts money to do things.

Mr. GILMAN. How?

Mr. TREMOR. We are giving them $1 million a year to develop their own programs.

Mr. GILMAN. Then you don't follow up to find out how the dollars are being spent? Once in 5 years you touch base with them.

Mr. TREMOR. Right.

Mr. GILMAN. Does any of that money come to you by way of Federal funds?

Mr. TREMOR. That is all State money. I know of no Federal dollars for drug education.

Mr. GILMAN. I would hope that the State education department would take a more aggressive attitude with regard to this basic component that we are trying to encourage. Here we are trying to urge the private sector to get involved in drug education of parents, and we hear how important it is to educate the kids, and here we have the State education department that says: "We will give you $1 million, but it is up to you how you do it and whether you do it or not."

It seems to me there ought to be a little more responsibility in the State.

Judge Glickstein, you are involved with the State bar. Are you suggesting that there needs to be some leadership in the community? What are your thoughts about all this?

Do you think the State should have a greater responsibility?

Judge GLICKSTEIN. Well, I am so committed to the notion that the leaders of the State have got to show the way, just as the leaders of the country have got to show the way, in responding to the needs of children. It gets to be kind of a one-note record with me.

If you will note from my appendix to the statement, the Governor has supported the concept of the constituency for children. The legislature has funded the constituency for children. And, Congressman Gilman, you have to understand that I am looking at the needs of children across the board.

Of course, drug-and-alcohol abuse takes up a lot of my time that I have to spend on this, but it is an awareness matter that not only affects parents, it affects the leaders of our State, and the leaders of our communities, and the leaders of our clubs, and the leaders of our Nation.

Mr. GILMAN. Do you think the State education system is doing enough to educate the young people?

Judge GLICKSTEIN. I cannot comment on that, because I don't know. Again——

Mr. RANGEL. Judge, you heard the testimony of Dr. Tremor. And we don't know any more than you do. You know a lot more than we do.

We are asking you to reflect on it—not so much that we want to be critical of the Floridian state of affairs as results to education, but with all of the time you are devoting to this, we know that you are as sensitive as to what other contributions are being made.

Dr. Tremor candidly said while the money is appropriated there is not really a followthrough to see what, in fact, is being done.

I cannot believe that you didn't hear that.

Judge GLICKSTEIN. Well, let me say this. I am interested in the half full, not the half empty. I am waiting to hear from Commissioner Turlington, quite candidly, in response to a letter I sent to him asking him if he could recommend for additional people to serve on my committee.

I am sure he will respond to that letter. When I have those people involved in education, more people—and you have to understand—there are 60 marvelous people on my committee that I work with—not just judges and lawyers, but volunteers and professional people.

I would be in a better position to respond to Congressman Gilman's question if there was somebody on my committee that was directly related to the doctor's department.

Mr. RANGEL. Doctor, why don't you volunteer to serve on the good judge's committee?

Mr. TREMOR. I expect I will be volunteering.

Judge GLICKSTEIN. I asked one lady, and she wanted to serve, and she was told she could not.

Mr. GILMAN. Judge, do you really need a volunteer to get on your committee to determine whether there is an educational need or not among the kids?

Judge GLICKSTEIN. I will tell you this.

Mr. GILMAN. If you were the State education commissioner, would you adopt a curriculum and ask the schools to follow it?

Judge GLICKSTEIN. Honest to goodness—I think Paula could answer that so much better than I could because that is not my area of expertise.

Mr. GILMAN. Apparently she is doing a good job in her school system, but there are probably some others out there that are not doing it.

Mrs. NESSMITH. That is correct. I am having a hard time sitting still. First of all, on the local level, we do not want the State of Florida to tell us what we have to teach in our school district for a number of reasons.

No. 1, because there are 67 school districts and they vary tremendously, and what is very essential in Palm Beach County is not very essential in Dixie County.

Mr. GILMAN. But there are basics.

Mrs. NESSMITH. True. However, I like that $1 million coming from the State so that we could develop an effective program, we can allow other districts to look at our program and if they care to adopt it, fine.

We do answer to the State department by presenting to them an overview of what we have done and a study in order to receive that funding the next time it comes up.

I am not real crazy about surveys, because surveys can say anything you want them to say. If you ask a teacher if they teach anything about drug abuse in their classroom, of course, they are going to say yes.

That is a very popular answer right now, but we have got to develop——

Mr. GILMAN. Did you develop a program in your own school for your teachers?

Mrs. NESSMITH. Yes.

Mr. GILMAN. You talk about consistency here. And apparently you developed some pretty strong guidelines for all your teachers and students. Don't you think that should be applied throughout the school system, trying to get other schools to put some basic guidelines down there?

Mrs. NESSMITH. Yes; I believe it is very important that we do this on the State level. I am just telling you as a local school official I much prefer the State not dictate the curriculum but rather dictate guidelines to us.

We do use——

Mr. GILMAN. Your tax dollars, $1 million of it, are being distributed around the State. Wouldn't you like to see it used in a most effective manner?

Mrs. NESSMITH. Yes.

Mr. GILMAN. Thank you.

Chairman RANGEL. Mr. Guarini.

Mr. GUARINI. Judge Glickstein, much has been said about almost every subject matter connected with narcotics today except the administration of justice. I understand you have been a practicing lawyer, trial judge, and appellate judge.

Judge GLICKSTEIN. Yes.

Mr. GUARINI. There is one statement earlier in the day that we need more severe sentencing. This was by the sheriff's panel that we had. Would you address yourself to whether or not the judges in Florida, from your experience, have been soft on drugpushers and should there be some emphasis put on drug users who are the ones that are actually out there selling the drugs?

Judge GLICKSTEIN. Well, you know, I think that every witness that appears before this committee should do the same thing that lawyers that appear before me—that is answer every question responsively, and I want to answer your question very responsively.

First of all, no, I don't think the judges in Florida are soft on drug related matters. The public, for one thing, in Florida won't tolerate it.

If the public perceives a judge as being soft on drugs, I respectfully suggest that judge is going to have a tough time in dealing with the electorate.

In terms of the penalties, this thing is a scourge. You clean it up in one neighborhood and it shifts to another. I don't speak as any expert.

I just speak as a citizen of Florida. You read about it being cleaned up in the Keys and it moves to South Carolina, Georgia, and Tennessee, which emphasizes the problem of this committee is such that you have got to take a stranglehold on this scourge, not just in Florida, but across the Nation.

Where I am coming from is that if you don't take a stranglehold on it, the entire moral fiber of this Nation is threatened.

Again, I want to be very responsive to your questions, because a greed that has originated from drug tafficking has permeated every area of our society.

Mr. GUARINI. Judge, what I really want to get from you, if I can, concerning the administration of criminal justice, do you have any recommendations—we know, of course, there is greed and there is a severe problem out there, and I agree with you.

There is no doubt about what you said is correct, but do you have any recommendations concerning administration of justice that would be helpful from your experience to this committee?

Judge GLICKSTEIN. Commitment of resources to eliminate the scourge. In my statement is a communication from one of our judges from Broward County, who says of the 144 cases that he had assigned in September to him in the criminal division, 89 of those 144 cases were totally drug cases—not murder that involved the use of drugs, but trafficking, delivery, and possession.

Without the commitment of resources by the Congress to the elimination of this scourge, how is it going to be eliminated?

Mr. GUARINI. I know, but I ask you whether you would put more emphasis on the penalties of users, or on people who launder money?

From a judicial viewpoint, do you have any recommendations?

Judge GLICKSTEIN. In my capacity as chairman of the Children's Committee, I wish you could put them away and throw away the key. Does that answer your question?

Mr. GUARINI. Not exactly, but I understand your sentiments, and I appreciate your answer. Thank you very much.

Mr. RANGEL. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

I would like to ask Mr. Frechette, you mentioned that you had—I believe it was three parents at one meeting and one at another. Is there any difference between the parent-teacher community response in support of your program now and when you first started?

Mr. FRECHETTE. No, it has always been the same. I am kind of used to speaking to small groups. PTA presidents call me up and say, "Can you come speak to my group?" I will say, "don't tell them what I am going to talk about or they won't come." She says, "They always come." When I get there I have 5, 10, 15 parents out of a population of 300 or 400.

It hasn't changed in 13 years of doing this. My public speaking background is great because I speak in front of small groups.

I hope tonight I will have a few more parents. We are trying to get them excited for Chemical People. We really have to push for this project.

We have to get them out.

Mr. LEWIS. Do you think that the State should be involved in a program such as yours?

Mr. FRECHETTE. Educational level? They are a good support system. But I agree with Mrs. Nessmith, it is a local problem. Every local district has their own individual needs.

Mr. LEWIS. What kind of support system do they have?

Mr. FRECHETTE. I had suggestions from them when I developed this kindergarten/first grade program. I was able to talk to consultants in Tallahassee for their expertise on how a 5 or 6 year old is gong to respond. That helps me. That is the kind of work we cooperate with Tallahassee.

But I would not like them to come in and say, "do this for the 5 or 6 year olds," because each school is different.

Mr. LEWIS. I wanted to ask Dr. Tremor a question. Did you come down from Tallahassee for this hearing?

Mr. TREMOR. Yes.

Mr. LEWIS. I would like for you very much to talk to Mr. Turlington. When I talked to him 3 weeks ago, and he had his calendar in front of him at the time and he committed to this hearing. We had other people that came over a thousand miles to attend this hearing.

Tell him, for what it is worth, I am personally disappointed he could not make it and I question the validity of his previous commitment.

Thank you, Mr. Chairman.

Mr. RANGEL. Mr. Smith.

Mr. SMITH. I would like to give the judge time to answer Mr. Guarini's question.

Judge GLICKSTEIN. Mr. Guarini, in my statement I ask the committee if it would give me an opportunity to provide you with communications from the judges of this area, because I just didn't have the time to get those responses, and to answer your question, if the Chair would permit me to supplement my statement with responses from the judges of this area, I would request that I be permitted to do so.

Mr. GUARINI. I think that is very reasonable. I would really appreciate that effort. I want to thank you.

Mr. RANGEL. Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman.

First of all, let me thank, especially, the Palm Beach school board and its chairperson for coming here today. Having been a PTA president for a couple of years I understand the frustration about dealing with these kinds of problems and how you feel no matter what you do it is scratching the surface or totally ineffective when you see the problem continuing.

I hope that your State provides you with all the tools that it can give you to help in the problem, although it is going to be the local people that make the final decisions and do the final work.

Let me ask you the question I asked Mrs. Sayler before. How pervasive do you feel the problem is in the Palm Beach schools and has that increased, decreased, or basically remained the same and what is the drug of choice at the moment?

Mrs. NESSMITH. I would think that there is an increased use of alcohol among young people. I don't think that the marihuana usage is quite what it used to be, but there is an increased usage of cocaine and other mood modifying drugs.

Mr. SMITH. Do you find there would be an increase in the total number of kids percentagewise in the school system using it or about the same?

Mrs. NESSMITH. I think about the same, because our school system is growing so rapidly it is difficult to say—because we have more children involved, it doesn't mean the percentage necessarly is increasing.

Mr. SMITH. Dr. Tremor, I have been a friend of Ralph Turlington for many, many years. Let me echo my disappointment along with Congressman Lewis.

I understand his schedule is extremely busy, but it would have been nice had he shown up. No reflection on you at all, but it would have been nice for him to be here.

I proposed a number of years ago having the State provide drug education teams trained at the State level going around, spreading the message from place to place with an effective, proven teachability that does not seem to crop up at the local level.

Mr. Frechette is probably in the minority in terms of the abilities around the State to get drug education started at an early age and carried forward through the whole school system.

It is unfortunate that we don't seem to want to take a stand. While you can still let the locals develop their own local programs to deal effectively, they have limited resources even with the million dollars.

I would suggest to you that the State department of education allow for drug teams, trained at the State level, given the opportunity to carry with them not only teachers who can relate better to kids but also law enforcement personnel taught to act as teachers would be an effective way of doing it.

The Secretary and I have discussed this previously. My question is if, in fact, we are now mandating some form of drug education program before graduation, why don't you use that as a basis for mandating certain standards to be met.

Don't you do it for math, science?

Mr. TREMOR. Yes. That is a matter of priorities. Reading, writing, arithmetic has been our major priority in the school system for a number of years.

Mr. SMITH. Mr. Frechette, I thank you. I was very interested in your testimony. The way you relate it as well as what you were relating was very refreshing.

My kids are 17 and 14 now. For a number of years every time my wife lights up a cigarette they run to the nearest window and open it. When she is in the car they do the same thing.

It doesn't always seem to work. It may be when you get them at 5 and 6 you can make it work. I commend you on that.

I know it is a rather difficult situation. As a former chairman of the PTA, I can commiserate with you. We tried to do the same thing on drug education programs.

My question to you and to the chairperson, Mrs. Nessmith, would be what do you think is the real reason why they don't come. It is not that they don't understand there is a problem.

Many of them do. Is it because most of them as of yet are either untouched or don't know that they are touched, or many of them are afraid to find out when you relate what you are going to tell them that all of a sudden they now realize they are fitting in that category and have been denying it all this time, or they know it and they are too embarrassed to come.

What is the reason? You have got to have some feeling as to why parents won't come out.

Mr. FRECHETTE. I think it is a combination of what you said, all three. I only wish I could put down that perfect mold and put it all together because I could probably further my career a lot quicker if I could understand why these parents won't come out.

The one mother that came to North Shore High School said, "I am embarrassed, no one else is here." I said, "Sit down, you have an hour and a half of me. How old is your son?"

"Five years old."

"You don't have any other children?"

"No. My kid is 5. I want to know more about this."

"You have taken a big step."

Most of the time when these parents come I say, "Why didn't you come sooner?"

As a matter of fact, I show them a bong, and a bong is something to smoke a joint with. I said, "This is a bong." One lady said, "No, that is a flower vase." I said, "It is a bong."

She said, "My daughter has four in her room with little silk flowers hanging out of it."

I said, "You have a problem developing."

They are totally unaware. They have no idea what a bong is.

I wish I could really give you a perfect answer.

Mr. SMITH. Let me ask you one other question.

What do you consider to be the use negatively and positively of police on school campuses, actual law enforcement personnel as opposed to your own security personnel, and do you permit—not permit—encourage, discourage principals, et cetera, calling local police when they know they have a problem and allowing police to come in and look at lockers and do all those other things that you know reveals what is going on.

Do you like that? Do you feel it is effective?

Mr. FRECHETTE. We found out through experience that we don't usually do that any more. We have a fully trained security staff that are all law enforcement officers.

We go in more or less like counselors. We also go in with the deterrent factor that we are not going to condone drugs.

Kids come to us and tell us who has it that day and we in turn carry out the search or investigate it. Then we will come in.

What we try to do is get that child some information, refer that child and not make an arrest. We don't think it is a good idea that police officers in uniform come in and talk to the kids about drugs.

That has backfired. Some of the officers just are not informed as they should be as far as what substance abuse is. They just cannot go in and say, "Here is a pill, this is a joint." You have to give the kids a lot more than just showing them what drugs are.

You have to teach them how to say no. You have to tell them it is OK to say no.

Mrs. NESSMITH. We have found that having uninformed police officers on campus was not a big help. It depended on the area and the county in which you lived and in which the school was whether or not we had cooperation from the local police department.

When you have a problem in the school system, and when you discover something, you need help right then. You don't need help when the police department has time and the willingness to get there.

By having these people on campus who have arrest powers, we have had better luck.

Mr. SMITH. Finally, Mr. Chairman, let me say the judge is a very well respected jurist in this area, was a praticing attorney for many years. He is very well respected in the legal community.

I want to thank you for being one of the motivating factors for the Florida Bar Committee. I think the information you submitted as part of your testimony will be of help. I think it would behoove the bar—and you are probably doing it already—in getting this out to the community, having the bar as part of whether it is a Law Day celebration or the community involvement that the bar is constantly promoting, that this be made a part of what the lawyers are doing in the local communities.

Unfortunately, the legal community sometimes takes a rap because it is not only attorneys who are the prosecuting attorneys, but it is lawyers who are the defense attorneys. Maybe if some of the defense attorneys were out there helping in the educational process we would have some form of better understanding between the bar and private citizens.

Is the bar promoting that kind of approach on this program?

Judge GLICKSTEIN. Our goal is to have every local bar association in Florida have a children's committee. If you will note the appendix to the statement, Jim O'Flarity, the chairman of the Family Law Section of the American Bar Assocation, has really undertaken a super job of getting the ABA to expand its focus on children's needs.

He is a very fine lawyer. He has really taken the bull by the horns, as you can see, by looking at the appendix of my statement.

Mr. SMITH. Thank you.

Mr. TREMOR. Mr. Chairman, since you said you appreciated my candor—what I was suggesting to you, the department of education's limited role in assisting drug abuse education should not be construed as dereliction of interest.

It is a choice made in response to the wishes of the public, the legislature, superintendents, and almost every facet of Florida society, which reflect what you have heard today.

Mr. GILMAN. If you would yield, gentlemen. I think when you said there were math guidelines and science guidelines and it just isn't a priority, that seems to be the nub of the problem.

It hasn't been placed in a high enough priority. That is what we would urge you to do; put that priority a little higher on the scale of other concerns.

Certainly this hearing has stressed the need for better education among our young people.

Mr. RANGEL. The Chair yields to our host, Congressman Lewis, for the purpose of thanking the panel and adjourning the meeting.

Mr. LEWIS. Thank you very much, Mr. Chairman. Dr. Tremor, my comment was in no way to demean your presence before this panel. I appreciate you coming here.

Judge Glickstein, I appreciate your testimony, Mrs. Nessmith, Gary Frechette, and also, Dr. Tremor. It does add a little bit of local testimony coming into the problem, so we can put all of this together.

I do appreciate you taking the time and appearing before the panel. If there is no further business to come before the panel, we adjourn and recess until 9 a.m. tomorrow.

[Whereupon, at 5:30 p.m. the committee recessed, to reconvene at 9 a.m., Thursday, October 13, 1983.]

PREPARED STATEMENTS

CITY OF EVERGLADES,
Everglades City, Fla., October 6, 1983.

Attention Mr. Charles Rangel, Chairman.

To Select Committee on Narcotics Abuse and Control:

In reference to your letter of September 29, 1983 requesting the three items of particular interest were political, economic and social institutions in the Everglades community.

As for the political impact in Everglades City, the present council is up for re-election in November of 1983.

So far there have been two people to pick up petitions to run for council seats and one for Mayor.

There have been no incumbents pick up petitions so far.

I feel the interest due to the Operation Everglades by D.E.A. and the one sided views of the press has effected the good citizens in Everglades City from coming forward and committing themselves to run for office.

There are four council seats up for re-election, 3 for 4 year terms and 1 for 2 year terms. The mayors seat is also up for re-election for 2 year terms.

As for the economic impact on this community it has been drastic. The businesses in the area had increased their volume considerably for a short period of time. However since the Operation Everglades, this has dried up considerably.

The most devistating impact has been on Real Estate values, and services. Real Estate values have soared out of site, making it impossible for working people to buy homes or even rent homes in the area.

Services such as building homes, repairs, plumbing, electrical, service stations, auto repairs and etc. have been out of sight for the average working citizens.

As for the impact on social institutions there has been very little effect. The City of Everglades had a census of 534 people in our last census. Other than Churches, School functions, Restaurants and Bars I believe most of the social function are derived in other areas such as Naples, Miami, Ft. Myers and other larger cities.

The impact on social behavior has been rather complicated as for the morality of all communities. I see families breaking up over money that people are not used to having. Their drinking habits and socializing with other mates has broken many homes in the end, results leaving many children without homes and only one parent.

My view on combating drug trafficking and drug abuse is a more consecrated effort by law enforcement on the highway in transportation between entry areas and the buyers in large cities.

Those who are caught and found guilty are usually out of jail before the law enforcement can file his paper work.

I believe the judicial system has been failing in its responsibility, and that more stringent laws should be forthcoming.

The laws have so many loop holes that a smart attorney can find them and let his client go free.

However the big bucks that are in the smuggling business are so lucrative to those people who have never made over Eight or Ten Thousand dollars per year are so tempting that it makes out-laws out of honest people.

I have mixed feelings on legalizing drugs. However the big money has to be taken out of smuggling & selling. If it takes legalizing drugs, and putting a tremendous tax on it to remove the big money people out, is may be a way of solving the problem.

As long as the law and the news media advertise that only approximately 1 percent of the people involved are caught, I can see no way of stopping it as long as they know this and the fast and big bucks continue to be available to them.

In conclusion I would like to thank the committee for inviting me to be heard and to get my views on this subject. I have for sometime felt I would like to be some part in solving these problems, however small or offective my-views have been.

The Operation Everglades by the D.E.A. has had a tremendous effect on our community. Especially the news coverage which made all citizens guilty by association. It is very hard to live in a small community and not talk or associate with people of the community. This guilt by association bothers me.

Sincerely,

HERMAN G. ASKREN,
Mayor.

SHERIFF AUBREY ROGERS,
Naples, Fla., October 7, 1983.

EDWARD JURITH,
Select Committee of Narcotics Abuse and Control,
U.S. House of Representatives.

DEAR MR. JURITH: The following is a statement that I have prepared that I would appreciate be read and entered into the official transcript of the hearing of the Select Committee of Narcotics Abuse and Control, that will be held in Florida on October 12&13, 1983.

Since 1978, Collier County has experienced a dramatic increase in the importation of illegal drugs. The Collier County Sheriff's Department received limited Federal Law Enforcement for 1978 until 1981. The type of illegal drugs intercepted was marihuana and Quaaludes. 320,017 pounds of Marihuana and 3,500,000 tablets of Quaaludes were seized from 1978 until 1981. During 1981, the United States Department of Justice, Drug Enforcement Administration, responded to my request from a firm commitment to resources to combat the smuggling problem encountered by the Collier County Sheriff's Department. A Mobile Task Force was created between the Collier County Sheriff's Department and the Drug Enforcement Administration, which, came to be known as "Operation Everglades", MTF-379. From May 1981 until July 1983, an all-out effort was launched in the Collier County Area, more specifically Everglades City, to disrupt the flow of illegal drugs into the United States through Collier County. It was later determined due to the financial information developed in the investigation that the Internal Revenue Services be made a part of "Operation Everglades". I am pleased with the success that has been achieved by Mobile Task Force-379, which can be demonstrated by the number of arrests, amount of illegal drugs seized, and the amount of assets seized by the Task Force. "Operation Everglades", was made public July 7, 1983, when Phase 1 was terminated and Phase 2 was initiated, which is currently being conducted. It is my opinion that this type of mutual effort can have a high level of impact on smuggling organizations that operate in the Collier County area, and in the United States, therefore, I urge this Committee to use all of its influence to continue funding "Operation Everglades" and create additional Task Force efforts throughout the United States, where the need exists.

I would be happy to share my experiences in this joint effort with members of the Drug Enforcement Administration, to help create guidelines for future type operations with local law enforcement agencies.

Thanking you in advance for your time in this matter.

Sincerely,

AUBREY ROGERS,
Sheriff, Collier County.

SUMMARY OF TESTIMONY OF DEPUTY ASSISTANT SECRETARY JON R. THOMAS

The Select Committee on Narcotics Abuse and Control has requested that the Bureau of International Narcotics Matters (INM) provide information on its role in controlling narcotics production and trafficking in Latin America, with emphasis on the effect those programs have on interrupting the flow of drugs into the United States, especially through South Florida, and an assessment of the status of its programs.

We have provided a detailed background statement on Department policies and programs for Latin America, including Mexico, Central and South America and the Caribbean. In this testimony, I will summarize those policies and programs. However, first, on behalf of Assistant Secretary Dominick DiCarlo and the Department of

State, I would like to both thank and commend this Committee for your efforts during the recent trip members of this Committee made to key narcotics producing countries in Latin America. The visits to these countries and the discussions you held with government leaders while there were valuable in providing another demonstration of the degree of commitment and resolve of our government to reduce the supply of illicit narcotics, and our interest in assisting those governments work towards that goal.

In terms of resources, reducing the flow of narcotics from Latin America is the Bureau's highest priority. We propose to allocate about $30 million, or 57 percent of our requested Fiscal Year 1984 budget to Latin America, with emphasis on crop control. Latin America is the single source of cocaine, the primary source of imported marijuana, and as of 1981 the source of about 36 percent of our heroin imports. The Bureau's primary objective is to reduce imports of illicit narcotics by assisting governments in controlling production—particularly the governments of Mexico, Colombia, Peru and Bolivia.

We recognize that obstacles to achieving control over the supply of illicit drugs are abundant in Latin America. Government efficency, integrity, political will and the capability of controlling narcotics trafficking vary significantly from country to country in Latin America, as does the degree of cooperation with the United States. The range of impediments to effective U.S. anti-narcotics assistance in producing and transit countries, include: frequent changes in government; dependency of local populations on cultivation and trafficking for their income; indifference to U.S. interest; a belief that drug abuse is a U.S. problem, created by U.S. demand; demands that we virtually reconstruct local economies in order to achieve narcotics control and enforcement cooperation; widespread official corruption; and occasionally even direct government involvement in the narcotics trade.

However, there are also reasons for these governments to act, including concerns over economic distortions caused by the drug trade, domestic drug abuse problems, corruption of public institutions by drug traffickers, international pressure, and the suppression of insurgencies that may be linked to narcotics trafficking. This interplay of incentives and disincentives often defines our opportunities for action.

Under the Single Convention on Narcotic Drugs, producer and transit nations like Peru, Bolivia and Colombia have the primary responsibility for controlling coca and its derivatives and marijuana within their borders. These countries, like narcotics producers in other regions, should be assisted, where needed and appropriate, in meeting these responsibilities. But we expect these governments to demonstrate their responsibilities through commitments to effective programs. We encourage other donor nations, development banks and international agencies to adopt the same policies.

The factors affecting decisions on assistance to countries include: current narcotics crop production; new and potential sources of cultivation; proximity to production source; domestic capability and will to control trafficking; interdiction potential; and, appropriate roles for the U.S agencies.

Fundamental, of course, is a government's request for cooperative assistance by the United States and their willingness to make a firm commitment to a narcotics control program. Our assessment of Latin America therefore takes into consideration the fact that our efforts can only be as effective as the commitment and programs of the governments with which we collaborate.

Colombia in 1981 produced about 86 percent of U.S. consumed marijuana imports, and exported up to 75 percent of U.S consumed cocaine, and has been the major transit point for methaqualone entering the United States. Our fiscal year 1984 Colombian program request of $8,945,000 is based on our goal of successfully negotiating a marijuana eradication program and an expanded coca control program. The approval of our Environmental Impact Statement on December 21, 1982, enables us to provide support to Western Hemisphere countries in herbicidal eradication of connabis. We have had continuing discussions with the Betancur Government on a range of narcotics-related issues, and continue to support the Colombians' effective interdiction efforts. But, the Colombian Government has not, to our knowledge, determined its policy and course of action on controlling its narcotics production.

On August 11, 1983, we signed four program agreements with the Government of Bolivia which committed to reducing the production of coca to levels of legitimate need in five years. Bolivian coca is the source of about 50 percent of cocaine imports. The initial goal is to reduce coca cultivation in the Chapare region by 4,000 hectares during the first two years of the project. This will be accomplished by both voluntary and mandatory eradication of illicit coca fields. Eradication efforts will be directed initially at absentee landlords and farmers who cultivate more than two hectares. One of the four agreements assists the establishment of a new Directorate for Control and Reduction of Coca Cultivation, which is charged with the systematic reduction of illicit coca production. A second agreement creates a 150-man strike force under the direction of the National Directorate for Control of Dangerous Substances. An initial objective of the ten-man Strike force squads is to establish authority in the Chapare and to operate against narcotics refiners and traffickers. This special force will be augmented by another 200 men in fiscal year 1984. A third agreement assists the Directorate for Control and Fiscalization of Coca in controlling legal coca production to meet licit demand. The fourth agreement creates a Special Police Narcotics Investigation Unit under the direct control of the National Committee for the Fight Against Narcotics Trafficking. Its 10 three-man teams will be charged with investigating and apprehending major narcotics traffickers. These teams will be trained by DEA.

Continued U.S. economic assistance is contingent upon Bolivian action to control illicit coca. We have requested $7,670,000 for fiscal year 1984 to support this major new program.

Peruvian coca is the source of about 46 percent of the U.S. cocaine supply. We entered into an agreement with Peru on a coca eradication project in August, 1981, concurrent with a five year rural development program sponsored by the Agency for International Development. We are disappointed by delays encountered in this project, and the Attorney General and Assistant Secretary DiCarlo were assured in April that Peru would proceed with the crop control program. Since their return, we have received reports of the first Peruvian actions to eradicate coca leaf, and are hopeful this is the start of a sustained effort. We have budgeted $4,020,000 for fiscal year 1984, including support for Peruvian narcotics enforcement agencies.

The United Nations Fund for Drug Abuse Control has been actively exploring multilateral assistance to Bolivia, Colombia and Peru for coca control. We are encouraged by this interest, since we have for several years urged other countries to be active in the drug control effort in this Hemisphere.

Mexico once supplied the bulk of the heroin imported into this country, but a U.S.-supported Mexican aerial eradication program has substantially reduced heroin production from its high levels in the mid-Seventies. However, the estimate is that imports of Mexican heroin increased from about one ton in 1979 to 1.4 tons in 1981 and now constitute about 36 percent of heroin imports. Mexico also once dominated the U.S. marijuana market, but, as of 1981, its eradication program has reduced supply to 300–500 tons, or about 3 percent of the total U.S. supply. We were assured during recent discussions with senior Mexican government officials that they can maintain their support for this vital eradication effort, despite Mexico's economic problems. In addition, Mexico has assisted the Government of Belize by providing aircraft and pilots to spray cannabis fields in Belize with paraquat. One of these operations began last week and will destroy an estimated 800 hectares or more.

While our international narcotics control policy emphasizes crop control, we also support interdiction and other enforcement activities. We encourage and support interdiction efforts by governments in the Caribbean and Central America through diplomatic initiatives, direct assistance, and training. The levels and types of assistance provided reflect this strategy of first staging interdiction efforts close to the production source, and then in transit countries. The strategy closely takes into account the Caribbean interdiction activities of the Drug Enforcement Administration, U.S. Customs, the Coast Guard and other enforcement groups.

The Bureau's role in controlling the flow of illicit narcotics in Latin America is an integral part of a broader well coordinated federal strategy in the region. The Federal Strategy for Prevention of Drug Abuse and Drug Trafficking, announced by President Reagan in October, 1982, outlined the role of international cooperation as part of this overall strategy of narcotics production control, interdiction and enforcement, and demand reduction. When Vice President Bush announced the creation of the South Florida Task Force in February, 1982, he assigned the Department of State the specific role of negotiating and implementing crop control agreements with Colombia, Peru, and Bolivia to reduce the supply of narcotics destined for the U.S. In addition, the Bureau works closely on a routine basis with the U.S. Coast Guard, U.S. Customs, National Narcotics Border Interdiction System, DEA, and others to coordinate activities in the region and to determine ways the Bureau can facilitate and complement enforcement and interdiction in the Caribbean area. Examples of this include initiating discussions between the Mexican Navy and U.S. Coast Guard to improve cooperation in and around the Yucatan Channel, Bureau funded programs with the Haitian Navy to interdict narcotics trafficking in coordination with U.S. Coast Guard in the Windward Passage, and projected INM provided communications equipment for the Bahamas to support Operation BAT.

An important component of this strategy is to provide training to foreign narcotics enforcement officers, as part of an objective of upgrading the capability of narcotics enforcement units in Latin America. In fiscal year 1982, training was provided to 239 enforcement personnel from South America, including 101 from Peru, 55 from Bolivia, 45 from Colombia, 34 from Brazil, and 4 from Ecuador. In just the past two years, 193 persons from Caribbean countries, as well as 235 persons from Central America and Mexico, received INM-funded enforcement training, either in the United States or in their countries. These 428 persons represent approximately 14 percent of foreign nationals trained through INM programs in Fiscal Years 1981 and 1982. In the past five years, a total of 1,136 officials from these transit regions have received INM-funded training, including 419 from the Caribbean (144 from the Bahamas) and 717 from Central America.

Our interdiction programs complement the broader Federal effort targeted on the interdiction of trafficking from Latin America to the United States: from Mexico across our Southwestern border; from Jamaica to the East and Southeastern Coasts; and from the source countries of Bolivia, Peru and Colombia through Central America and the Caribbean.

Thus, interdiction remains part of an overall regional effort to disrupt the flow of drugs and make drug transportation as costly and difficult as possible, an effort which begins with control at the source, supported by interdiction in source countries, with additional enforcement at transit points. This conclusion is heavily influenced by the reality of the traffickers mobility, the difficulties in identifying smuggler planes and ships from among the hordes of craft plying the Caribbean air and water routes, and the best use of available resources. The U.S. interdiction effort must be as mobile as those of the traffickers. We believe the Administration's policy of relying heavily on DEA, Customs, the Coast Guard and U.S. military, all of which can move their resources freely, is correct for this situation.

In sum, we will continue our part in the Administration's strategy of applying pressure on the grower to user chain—through effective crop control, through interdiction and enforcement, and through education and prevention programs.

STATEMENT OF STANLEY MARCUS, U.S. ATTORNEY, SOUTHERN DISTRICT OF FLORIDA

Mr. Chariman and members of the Select Committee, I want to thank you for inviting me to testify before this hearing regarding the current status of drug trafficking through South Florida and the many federal law enforcement efforts which have been undertaken in the last 18 months to address this serious problem.

South Florida is faced with a crime problem that is, I believe, truly unique. There are elements of the problem which can be found in the crime profile of other large metropolitan areas inside and outside the United States, but collectively the elements in South Florida add up to a crime problem perhaps unique in all the world.

Upon becoming Unites States Attorney for the Southern District of Florida about 19 months ago, I pointed out that far and away the most serious federal crime problem in this district was the drug problem. Over the last ten year or so Miami had become the point of entry for perhaps 75 percent of all the cocaine and marijuana and methaqualone smuggled into the United States. It was in South Florida that the criminal wholesale transactions of the American drug trade were taking place. Much of that trade continues in South Florida today.

The nature of the problem in staggering. Let me give you some rough idea of the demensions of the national crisis. More than 12,000 metric tons of marijuana enter the United States annually. Between 40 and 48 metric tons of cocaine enter the United States annually. About four metric tons of heroin enter the United States annually. Colombia continues to be our largest foreign supplier of marijuana. Indeed, according to intelligence reports Colombia is the sources of supply for approximately 75 percent of all cocaine, 50 percent of all marijuana and 50 percent of all methaqualone consumed in the United States. Colombia remains both the central processing center and staging area for smuggling cocaine hydrochloride into this country.

Moreover, we have estimated that there may be as many as 25 million regular users of marijuana in the United States and more than four million regular users of cocaine in the United States. We have estimated that between 13 and 18 million Americans have used cocaine at least once, and that there are almost one-half million heroin addicts in this country.

The brutally serious nature of the drug problem in this country in evidenced by these crime statistics: it is estimated that one half of all jail and prison inmates regularly used drugs before committing their offenses. Some statistics indicate that 50 to 60 percent of all property crimes are drug related. Indeed, it has been estimated that one in four homicides in Miami is drug related.

It is, in short, perfectly clear that the real cost of drug smuggling and addiction in this country is staggering in human life and human suffering. It is equally clear that South Florida has been and continues to be a main arena in the battle against drugs.

The estimated cash exchange generated last year by illicit wholesale drug transactions runs into billions of dollars; billions that must be laundered through various institutions or converted into non-cash assets. In either case, some businesses are drawn into collaboration with or outright domination by the drug moguls.

And we should be perfectly clear about what kind of people are behind these drug dollars. They are vicious, even by the standards of rank criminals. The international drug trade which has made South Florida its capital is not a single established cartel. It does not respect minimal standards of conduct—rules of the game established over long years of operation in the community's shadows.

Rather, we are dealing with a collection of warring cartels, an underworld that is wholly Balkanized. Within each of these cartels there is often a high degree of structure, but among them there is often anarchy. Even the crudest limits of decency are unknown to them. We are dealing with multiple, large scale criminal organizations who will open fire on a rival faction in a crowded mall, with utter indifference to the lives of the men, women and children who may be caught in the cross fire.

The Administration's response to this unique and staggering national problem centered in South Florida has been a massive build-up in the development of personnel and other resources, both investigative and prosecutive, over the last 20 months.

Since the early spring of 1982, the South Florida Task Force, under the personal supervision of the Vice President of the United States, has brought together the resources of a number of departments and agencies of the United States including: the Justice Department, Treasury Department, Transportation Department, State Department and Defense Department. Increased numbers of federal agents have been introduced into the battle. Hundreds of new agents from DEA, U.S. Customs Service and Bureau of Alcohol, Tobacco and Firearms, among others, have been deployed in this region. Numerous Coast Guard ships have been reassigned to South Florida and Caribbean waters to combat drug smuggling. Vessels of the United States Navy have joined the effort. To intercept low flying planes that carry drugs to countless airfields, the South Florida Task Force has assigned helicopters and radar planes capable of keeping pace with and tracking these aircraft until they land.

At the same time, the Department of Justice, at the direction of the Attorney General, has substantially increased prosecutive resources and has stepped up the investigation and prosecution of major international and domestic narcotics cartels, increased the focus upon the laundering of billions of dollars in narcotics proceeds, placed added emphasis on the forfeiture of assets connected with drug trafficking and addressed directly the critical problem of violent crime linked so closely to the dope trade.

Now, let me turn to the results to date.

Criminal case filings in the Southern District of Florida have increased dramatically. For the 12-month period ending June 30, 1982, 842 cases were filed. For the year ending June 30, 1983, there were 1231 filings, a gain of almost 50 percent, and representing more felony charges than were filed in any other federal district in the United States including districts with substantially greater populations than South Florida, such as New York, Chicago or Los Angeles. Indeed, criminal filings in this district have more than doubled since 1979 when less than 600 cases were filed.

The magnitude of the problem in South Florida is perhaps best seen in the number of defendants charged in the 1231 cases filed in the year ending June 30, 1983. Charges were brought against over 2318 defendants for that period, more than the number charged in the Southern District of New York (Manhattan) and the Northern District of Illinois (Chicago) combined.

The results of the increased federal committment also can be seen in the seizures of contraband since the creation of the South Florida Task Force in February 1982. In the 16-month period ending June 30, 1983, over 1300 seizures were effected. The quantities of cocaine, marijuana and methaqualone seized far exceed those in any other region at any time: 11,570 pounds of cocaine; over 2.9 million pounds of marijuana and almost 10 million dosage units of methaqualone. These staggering quantities of seized drugs have been matched by the dollars value of cash, cars, boats, planes and other assets seized from drug traffickers and forfeited to the treasury of the United States.

For fiscal year 1982, Justice Department records indicate that the U.S. Attorney's Office in the Southern District of Florida forfeited to the United States in excess of 13 million dollars, representing an increase of more than 300 percent from the prior fiscal year. Moreover, this figure represents nearly 50 percent of all forfeitures in the United States for that fiscal year. Additionally, for fiscal year 1983, our records indicate that this district forfeited more than 20 million dollars representing an increase of more than 53 percent from fiscal 1982. These forfeitures are overwhelmingly drug-reated.

The massive and intensified federal law enforcement response to this staggering, multi-faceted problem has involved at least seven interlocking parts: (a) a new and expanded interdiction effort; (b) increased efforts to identify, penetrate and prosecute major international and domestic narcotics organizations; (c) an increased and unparalleled effort to target, penetrate and prosecute the major money laundering enterprises which enable foreign narcotics cartels to launder and remove billions of dollars from this country; (d) increased investigation and prosecution of foreign officials from source countries involved in the international chain of drug smuggling; (e) intensified prosecutive effort in the area of violent crime inextricably tied to narcotics; (f) increased investigation and prosecution of official and political corruption, especially where tied to narcotics traffic; (g) a quantum increase in forfeiture of narcotics dealers' assets, including cars, planes, boats, real property and cash proceeds.

Our prosecutive strategy has been, simply put, to come at the drug problem at each of its points of vulnerability. Breaking the back of the drug trade comes down to analyzing it at its key points. No single strategy will work. We have instead opted for this comprehensive approach.

(A) INTERDICTION

We're all familiar with perhaps the most obvious and enormous aspect of drug trafficking, i.e., the actual smuggling from foreign lands of billions of dollars worth of drugs. It is in this area that the South Florida Task Force has made substantial efforts and has begun to realize unprecedented gains. Massive deployment of new ships, planes and personnel, involving a variety of federal agencies including the Coast Guard, the Navy, the DEA and the U.S. Customs Service, throughout the Caribbean basin and in South Florida, has resulted in a dramatic increase in seizures and measureable displacement of dope traffic to other regions of this country. While it has not shut down the smuggling of dope, it has seriously impacted upon the South American traffic and forced smugglers to develop new and extended supply lines in regions of this country wholly inhospitable to foreign traffickers.

The results of this unprecedented interdiction effort and the massive seizures of contraband noted above have been real and substantial, but not conclusive. Marijuana boat traffic is down substantially throughout this region; the methaqualone market has been substantially affected; more cocaine than ever before has been seized. And yet cocaine, principally the result of a massive Latin American harvest, is more abundant now than ever before. And though we are displacing drug smuggling routes to other regions of the United States, Miami remains the focal point for the international drug cartels and the distribution systems. Illegal drugs imported into other parts of the country are frequently being transshipped to South Florida for distribution throughout the country.

(B) MAJOR INTERNATIONAL AND DOMESTIC NARCOTICS CARTEL INVESTIGATIONS AND PROSECUTIONS

The past 20 months have seen an enormous increase in the prosecution of the members and leaders of high level drug trafficking enterprises, both foreign and domestic, through coordinated federal, state and local drug enforcement efforts. Our efforts have been designed and intended to target and break apart the principal organizations involved in the importation and distribution of huge amounts of narcotics and controlled substances. Among the most significant recent narcotics prosecutions in this district directed at major cartels and drug organizations, are the following:

(1) Operation Swordfish.—This long-term DEA undercover operation, which was designed and intended to identify and penetrate significant narcotics organizations by the creation of a financial investment and money laundering service, resulted in 15 indictments of some 77 individuals charged with a variety of narcotics offenses including the possession and distribution of multi-kilogram quantities of cocaine, heroin, marijuana and methaqualone tablets. Many of these defendants, including major narcotics traffickers, have been convicted; some 37 however remain fugitives, in some instances having jumped bail set in this district and fled from the United

States, and in other instances never having been apprehended. It is worth noting that we have filed a large number of extradition requests with the Colombian government, but that to date we have been unable to extradite a single Swordfish defendant from Colombia. This investigation has also resulted in the seizure of 17 bank accounts relating to narcotics trafficking.

(2) Operation Screamer.—This long-term DEA undercover operation resulted in charges against some 82 defendants in 14 separate indictments in March of this year. The focus of Operation Screamer was primarily the smuggling of controlled substances into the United States from the Carribean and South America by means of aircraft. The project involved the infiltration of suspected drug trafficking organizations by undercover agents who posed in a variety of roles including key links in the narcotics chain such as purchasing aircraft, securing of pilots, providing secure airstrips, and other transportation systems within the United States. This project included the law enforcement facilities of DEA, the U.S. Customs Service, and a number of state and local law enforcement agencies in North Carolina and Florida. This operation also involved the seizure of assets used in the narcotics business, including aircraft.

(3) Operation Everglades.—This was a long term undercover operation led by DEA and coordinated with the IRS and the sheriff of Collier County, Flordia. It resulted recently in ten indictments charging 41 individuals with various narcotics offenses related principally to the distribution and smuggling of multi-ton quantities of marijuana. The objective of Operation Everglades was to identify and penetrate major marijuana smuggling groups operating on the Southwest Coast of Florida, and ultimately to disrupt the marijuana smuggling routes from South America and the Carribean to the United States. In addition to these recent indictments, Operation Everglades previously had resulted in the arrest of 94 individuals by federal authorities and the seizure of 23 vessels by the Coast Guard. To date as a result of this operation federal and state authorities together have made 149 arrests, confiscated some 447,700 pounds of marijuana valued at $179 million wholesale, and seized 39 vessels, 31 vehicles and 3 airplanes.

(4) Operation Birdman.—Four federal indictments charging 40 individuals recently were returned in federal court in Ft. Lauderdale relating to the illegal manufacture and distribution of methaqualone and diazepam in the form of tablets known as quaaludes. This long-term investigation involving the DEA, the FBI, the Royal Canadian Mounted Police, and state and local Florida law enforcement agencies focused on the smuggling of enormous quantities of illegally manufactured pills into the United States, through South Florida and the Northeast, from Canada and Holland. The retail value of the drugs identified in the investigation and prosecution exceeded 50 million dollars.

(C) MONEY LAUNDERING INVESTIGATIONS

The "flip side" of the importation and distribution of drugs is the narcotics traffickers need for a system whereby the illicit proceeds can be gotten out of the country to pay for still more drugs to generate still greater profits, all the while concealing the source of those proceeds. This need represents yet another point of vulnerability which we have targeted in our battle against the drug trade. Here, utilizing the reporting requirements of the Bank Secrecy Act, our objective is to choke the flow of narcotics dollars out of the country and thus deter by making the movement of narcotics proceeds as risky as trafficking in the drugs themselves.

The movement of narcotics proceeds and the concealment of their source, or money laundering, is centered in South Florida. These money laundering activities require sophistication concerning international finance and financial institutions to keep their transactions confidential, avoid taxes, and keep the ill-gotten profits as inflation-proof as possible. Once the currency comes into the hands of the money launderer, he has several options for conveying this money to the narcotics manufacturer and importer. The most efficient manner is to physically convey the money from the United States to an off-shore country wherein it can enter into international banking channels. However, the enforcement efforts aimed at money laundering have had the desired effect. The physical smuggling of money out of the United States is difficult, and almost as hazardous as the smuggling of the narcotics into the United States. Two million dollars in twenty dollar bills weighs 235 pounds. Therefore, it is difficult for the money courier to carry it out of the country. As of late, various means have been used to convey the money outside the United States to avoid Customs detection, including sealing the money in Monopoly boxes, an automobile transmission, and the six-gallon cannister of an industrial vacuum cleaner (which will hold $667,000 in U.S. currency).

The second means of laundering the money is to place it into the legitimate stream of commerce while still in the United States. That is, to utilize the drug tainted money to purchase goods or property for persons living outside the United States who need U.S. currency inside the United States to purchase goods or property. For example, the Colombian businessman who wishes to purchase textile material in the United States to export to Colombia. That person would go to the office of the narcotics money launderer in Colombia and give him Colombian pesos. He would be instructed then to pick up dollars in the United States. Obviously, if the businessman is willing to take small denomination bills in the United States, he gets the best deal.

The fallout is that it is not irregular to have a foreign businessman walk into a South Florida business and buy six, $30,000 tractors with $10 and $20 bills.

We consider those persons who participate in the laundering of the proceeds of narcotics to be as culpable as those persons who traffic in the narcotics themselves. We believe that the investigation, apprehension and prosecution of narcotics money launderers to be a valuable tool in fighting the war against drugs. The interdiction of the money and the destruction of the infrastructure designed to handle the money sometimes creates greater havoc within the narcotics organization than the interdiction of the dope.

Another benefit has been the identification and apprehension of those persons who have been high up in the narcotics importation structure and who would not themselves come in personal contact with the drugs. Through their contact with the proceeds from the drugs they have been identified, apprehended and prosecuted.

One of the most successful measures employed here thus far in the ongoing attack on high-level narcotics trafficking organizations has been Operation Greenback.

Operation Greenback is the code name for an IRS-Customs-Justice Department Task Force to which six fulltime prosecutors have been assigned and a seventh will be assigned shortly. Initiated in June 1980, during its first three years this anti-money laundering program has resulted in indictments against 148 individuals from 39 organizations. One hundred and nine persons have been arrested, and over $33.5 million in U.S. currency has been seized. In addition, property in excess of $3.1 million has been seized, and civil penalties executed under Title 31 are in excess of $33 million. Bond forfeitures have been in excess of $16 million and jeopardy tax assessments total over $114 million.

Two recent cases exemplify the work performed by the agents and prosecutors assigned to Operation Greenback:

(1) In May 1983, a plane laden with $5,500,000 in U.S. currency was stopped by Customs agents as it taxied down a South Florida airport runway preparing to fly to Panama. The case is pending trial.

(2) In the second case, four men, two of them lawyers, were arrested in May 1983 and charged with conspiracy to smuggle $2,000,000 out of the United States. One of the four was tried separately and convicted in August 1983 and is pending sentence. The other three defendants are to be tried shortly.

South Florida banks also have been among the targets of Operation Greenback. For example, a South Florida bank and some of its officers were indicted for and now await trial later this year on charges of laundering approximately $100 million for three Colombian cartels.

The successes of Operation Greenback have resulted in increased compliance by financial institutions with the reporting requirements of the Bank Secrecy Act and a substantial movement of narcotics generated cash out of the region. The seizure of substantial amounts of cash and the penetration of major drug trafficking organizations have begun to choke off the flow of narcotics dollars out of the country. However, Miami is still the financial hub and the continuing heavy flow of cocaine into the region means that money laundering in some form must continue.

(D) PROSECUTION OF SOURCE COUNTRY OFFICIALS INVOLVED IN NARCOTICS TRAFFICKING

The enormous profit potential from drug trafficking unfortunately attracts many private entrepeneurs who are willing to take enormous risks for personal gain. However, as testimony in a recent federal trial here in Miami has demonstrated, officials of foreign governments also have become directly involved in smuggling drugs into the United States. Indeed, in this case [1] in February of 1983, the evidence adduced at trial revealed the knowing involvement of high ranking officials of the Cuban government in illegal narcotics trafficking.

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[1] The case was *United States* v. *Jaime Guillot-Lara et al.*, No. 82-643-Cr-JE (S.D. Fla.)

The prosecution I speak of began with the indictment of 14 individuals, including four high-ranking officials of the Cuban Government and the Central Committee of the Communist Party of Cuba. The charges against the Cuban officials arose from their agreement to allow Cuba to be used as a loading station and source of supply for ships transporting and smuggling drugs from South America into the United States. The Cuban officials were: Fernando Ravelo-Renendo, the Cuban Ambassador to Colombia; Gonzalo Bassols-Suarez, Minister-Counselor of the Cuban Embassy in Colombia; Aldo Santamaria-Cuadrado, a/k/a Rene Baeza-Rodriguez, a member of the Central Committee of the Communist Party of Cuba, who held the rank of Vice-Admiral in the Cuban Navy; and finally, Rene Rodriguez-Cruz, a member of the Central Committee of the Communist Party of Cuba and President of the Cuban Institute of Friendship with the People (ICAP), a Cuban Government agency which, in part, oversees the activities of foreign visitors in Cuba. These officials, as might be expected, have yet to stand trial.

In addition to the Cuban officials, two other indicted defendants still remain fugitives, Jaime Guillot-Lara and Julian Losada. Jaime Guillot-Lara was located, arrested and held in a Mexican jail based on an earlier United States narcotics indictment. However, upon his release, the Mexican Government refused to extradite him although our extradition request was pending there for many months, and he disappeared. Five of those charged were convicted at trial and sentenced by the district court to extended terms of imprisonment.

The second criminal indictment, recently handed up by a federal grand jury in Miami, also alleges in detail a pattern by which foreign officials, in this instance ruling members of the former military government of Bolivia, were directly involved in an elaborate conspiracy to import hundreds of pounds of cocaine into the United States from Bolivia, and to distribute it here in Miami. The indictment charged seven former members of the Bolivian government, including the former Bolivian Minister of the Interior, Justice, and Immigration, Col. Luis Arce Gomez, along with 10 other individuals. This case has not yet come to trial in our federal courts, and the defendants are, of course, presumed innocent in the eyes of the law until they are found guilty beyond a reasonable doubt.

Also charged in this case were the Director of Administration within the Ministry of Interior, Justice and Immigration, the Legal Advisor to the Minister, the Public Prosecutor for the City of Santa Cruz, Bolivia and the Chief of Narcotics Police in the City of Santa Cruz. The indictment specifically charged, among other things, that until early 1981, Col. Gomez used his position as Bolivian Minister for Justice to require cocaine traffickers to pay protection monies in order to permit the illegal exportation of cocaine to the United States. Efforts to extradite some of these defendants are now underway. To date no foreign official has yet been returned to this country to stand trial.

The Cuban and Bolivian cases suggest the serious nature of the problem of foreign government complicity in the chain of narcotics trafficking. It is largely, though not entirely, a function of the enormous illicit profits generated by this unlawful trade. These cases represent our best efforts and stated intention to identify and prosecute all who may be involved in the narcotics chain, even where we must trace that chain back to source countries.

(E) NARCOTICS RELATED VIOLENT CRIME

The narcotics trade in South Florida is rife with violence. Foreign drug cartels have shown a propensity to resort to violence and killing in the pursuit of their ends. A recent federal prosecution here in Miami involved the attempted murders of two DEA agents in Colombia by drug traffickers. In less than a year, two ATF agents have been killed and one critically wounded in Miami in undercover operations involving drugs and firearms. It is estimated that one in four Dade County homicides involves narcotics. Moreover, we find that terrorist organizations sometimes are engaging in drug trafficking in order to generate funds with which to pursue their terrorist aims.

Because of the strong link between narcotics and violent crime and because it is a priority of the Attorney General, our office has undertaken a number of initiatives in this area.

First, in conjunction with Dade County State Attorney Janet Reno, and as part of the Attorney General's Law Enforcement Coordinating Committee effort, we have established a Joint Homicide Task Force in which to date six Assistant United States Attorneys have been "cross-designated" to prosecute homicide cases in State Court. In the first six-month phase of the project, 39 defendants were targeted for prosecution; in the second six-month phase, now nearing completion, another 40 defendants were selected. All convicted defendants have been and will continue to be incarcerated at federal expense in federal penitentiaries.

Second, in conjunction with a substantial increase in ATF personnel, our office has given the highest priority to the prosecution of firearms related offenses. As a result, almost six times as many firearms prosecutions were initiated in the first six months of 1983 as compared to 1982.

Third, we have targeted licensed firearms dealers who engage in unlawful selling of firearms, particularly such instruments of death as silencers, machine guns, automatic weapons and bombs to narcotics dealers and terrorists. In one such instance, we recently brought racketeering charges against the largest firearms dealer in the United States on charges arising from allegedly unlawful sales to foreign nationals.

Finally, I have adopted a very strict policy towards plea bargaining on any case where weapons-related offenses are charged.

The effect of this increased effort in the area of violent crime is difficult to measure. One encouraging sign is that homicides in Dade County have dropped significantly over the past year. On the other hand, the current homicide rate is still one of the highest in the nation. Moreover, the rates for homicide and violent crime can be expected to remain high so long as South Florida is at the center of the narcotics trade.

(F) NARCOTICS AND THE ANCILLARY PROBLEM OF OFFICIAL CORRUPTION

Another major problem spawned in this area by the incredible amounts of narcotics and controlled substances and the illicit billions it generates is official corruption. Corruption and violent crime necessarily follow in the wake of narcotics. We have found in the past 20 months evidence of corruption at all levels of government in the district. This is evidenced by the recent prosecutions and convictions of local policemen, the Director of the Miami Office of the Florida Secretary of State, officers and agents assigned to the Coast Guard and the Customs Service, a DEA Supervisory Agent, and the United States Marshal for the Southern District of Florida on charges ranging from conspiracy to sale of narcotics to the sale of sensitive information to bribery, all in some way narcotics related.

Any effort to both measure the impact of narcotics trafficking on the life of this region, and to attack the narcotics business directly must focus resources on the problem of corruption. To address the problem we have created a special corruption unit in our office and assigned seven prosecutors from our criminal division full time to the task of investigating and prosecuting the growing number of serious corruption cases, particularly those related to narcotics.

(G) FORFEITURES

A further important element in our effort to combat drug trafficking in South Florida has been the use of civil and criminal forfeitures. We have recognized that simply utilizing the criminal laws to put people behind bars is not enough. In order to successfully attack drug smuggling, it is equally important to hit these criminals in the pocketbook.

A lot has been made of the fact that the kingpins in the drug cartels often remain beyond our reach in various Latin American countries. Unfortunately much of this is accurate, primarily because the Latin American countries, especially Colombia, have failed to extradite persons within their borders who are indicted here. Thus, we have decided to aggressively go after their assets through civil forfeiture, both under Title 31, the Bank Secrecy Act, and under the Title 21 drug forfeiture laws, and criminal forfeiture under RICO and the Continuing Criminal Enterprise (CCE) statutes.

To insure that the facts developed in the course of an investigation are sufficient for the seizure of assets, I assign one of my Civil Division attorneys to every major drug investigation. At the same time indictments are returned by a grand jury, seizures are effected and civil forfeiture complaints are filed.

The statistics for fiscal years 1982 and 1983 reflect our increased emphasis on civil forfeiture. As noted above, fiscal year 1982 forfeitures in excess of 13 million dollars represented an increase of more than 300 percent from the prior fiscal year and nearly 50 percent of all forfeitures in the United States for that fiscal year. For fiscal year 1983, this district has forfeited more than 20 million dollars, an increase of more than 53 percent from fiscal 1982.

Recent intelligence indicates that our successes in forfeitures have had an impact on the way drug trafficking is being conducted. For example, we are finding that the Colombian drug cartels are shipping cocaine more and more through common carriers rather than private planes, hoping to avoid seizure of an expensive conveyance or put the risk of seizure on others. A recent example emphasizes this point. In the past 18 months we have seized more than two tons of cocaine shipped on one common carrier—a Colombian based airline. One shipment carried more than a ton and a half of cocaine and the second carried more than 800 pounds. These seizures, with a street value of more than 1.4 billion dollars, are the largest recorded combined seizures ever. We have seized and are seeking to forfeit the planes (or their cash value).

We continue to receive evidence that enormous quantities of drugs, primarily cocaine, methaqualone and marijuana come from South and Central America through the Carribean basin into South Florida for distribution throughout the United States. This hearing and the continued concern of the American people and their representatives will hopefully provide us with the tools to continue the effort to disrupt the drug flow into the United States.

At this point I would observe that criminal defendants charged with felonies in this federal district are far less likely to enter pleas of guilty than in the nation as a whole. Whereas perhaps 17 percent of federal criminal defendants go to trial in the United States as a whole, almost 50 percent of all criminal defendants in South Florida go to trial. The burden on our courts is staggering. I note in that regard that there are only 12 federal district judges assigned to this judicial district to handle what is by far this country's largest criminal case load.

Despite the sordid character of the international drug trade, there may be some so cynical as to wonder whether this criminal import industry is not a sort of devil's blessing to South Florida's economy, whether the billions in illicit proceeds which it generates each year does more good than harm to the quality of life here. The truth is that the potential cost of the drug trade to the quality of life here, and indeed throughout this country, is staggering. Not only does it place our families in a milieu of constantly escalating violence, but it threatens fundamental corruption of our social institutions.

How long can a society's basic institutions maintain their integrity in the face of millions of drug dollars ready to be spent for the sole purpose of corrupting those institutions? Indeed, it is the universal modus operandi of the drug traffickers to attempt to corrupt public officials, and it is their genuine expectation that corruption will be accomplished. So strong is their perception of the corruptibility of officialdom that they are forever testing the system, waiting for it to yield.

But the multi-billion dollar drug trade threatens not only the corruption of our institutions but also of ourselves. Continual exposure to criminal prosperity is corrosive to the soul. Our children see that there are people, many people, who apparently are living above the law and are thriving on their criminality. The message is: take, steal with both hands and forget about honest work. Ordinary class tensions are exacerbated as have-nots contemplate the lot of those who have plenty because they make their own rules. The promise of sharing in the bounty temps all of us to wink, just a little, at the blood stains on a nice piece of cash, until we are winking with both eyes and finally lose our sight altogether to base criminality. In the end we simply assimilate the morality of the gutter into the mainstream of our life. That is the price tag that hangs on accepting this region or any region of this country as the Wall Street of the international drug trade.

Thank you again for your invitation to participate in this hearing. I hope that the information and views I have shared with you today will be helpful as you deliberate on this most serious threat to our national well being.

PREPARED STATEMENT OF REAR ADM. DONALD C. THOMPSON, USCG, DEPARTMENT OF TRANSPORTATION

Mr. Chairman and members of the committee, I am Rear Adm. Donald C. Thompson, Commander of the 7th Coast Guard District. I am pleased to have this opportunity to provide information to you for this field hearing. I assumed command of the 7th District in May of 1982; and on 17 June 1983, also assumed the duties of coordinator of the Vice President's South Florida Task Force and Coordinator of the Southeast Region of the National Narcotics Border Interdiction System (NNBIS).

In the past 3 years we have observed a tremendous growth in the Coast Guard's maritime law enforcement mission. The 7th District encompasses 1.8 million square miles of the Atlantic Ocean, Caribbean Sea and a portion of the Gulf of Mexico. It includes the States of South Carolina, Georgia, and most of Florida, as well as the Commonwealth of Puerto Rico and the U.S. Virgin Islands for a total of 1,600 miles of coastline. Particularly significant is the fact that our operations, to varying degrees, affect our foreign relations with 24 sovereign states in the Caribbean Basin, including Communist Cuba.

The primary resources I have permanently assigned to carry out our law enforcement and other missions are, 9 medium endurance cutters, 15 offshore patrol boats, 3 surface effect ships, 46 utility-type boats, 10 fixed wing search aircraft, 13 helicopters, and 20 multi-mission stations. Additional aircraft and vessels are made available from other Coast Guard Districts from time to time, and are placed under my operational control.

The 7th District has the highest usage of available resources within the Coast Guard for our enforcement of laws and treaties (law enforcement) mission. Our latest three year figures show that cutters under 7th District operational control have accounted for about 32 percent of the hours the entire Coast Guard spent on law enforcement missions, and our aircraft have accounted for about 25 percent of the servicewide total. Our primary law enforcement activity is drug interdiction, and to a lesser degree, the interdiction of illegal aliens.

An estimated 60 percent of the marihuana smuggled into this country each year is transported by sea. Most of the drug traffic originates in the Caribbean, generally along the north coast of Columbia. As the smugglers sail north, they have traditionally passed through one of four channels. (Yucatan Channel, Windward Passage, Mona Passage, and Anegada Passage) or choke points', as we call them, and have then proceeded toward the Bahamas, Florida, the gulf coast, or the northeast coast of the United States. The choke points are an inportant geographical advantage for us, because they concentrate the smugglers, enabling for us, because they concentrate the smugglers, enabling our cutters on patrol to have a better probability of intercepting them. The availability of helicopters on many of our patrol cutters greatly enhances their interdiction capabilities also. The smuggling vessels coming through these choke points are generally 60 to 200 foot motherships. One mothership seizure removes as much marihuana from the smugglers as would several smaller seizures closer to shore. This approach has been the most effective use of our resources.

The Coast Guard has been able to occupy the choke points in an increasingly effective manner. When we expanded our activity in the choke points in the fall of 1980 with the additional cutters available immediately after the Cuban Exodus, we were able to greatly increase the number of seizures during October, November and December 1980. A total of 69 vessels were seized, and 347 persons arrested during that period. Total vessel seizures within the 7th Coast Guard District have risen from 101 in calendar 1980 to 126 in 1981, to 145 in 1982. We have seized 98 vessels so far this year. The number of individuals arrested has risen from 485 in calendar 1980 to 582 in 1981 to 762 in 1982. Arrests to date in 1983 number 344.

Most importantly, the amount of marihuana seized has been significant. In 1980, 1,548,421 pounds were seized by the Coast Guard in the 7th District, in part due to the availability of additional cutters immediately after the conclusion of the Cuban Exodus. Standdown from this operation resulted in fewer Coast Guard resources in the area during early 1981. Yet the seizure total increased to 1,634,873 pounds that year. Increased Coast Guard presence in the choke points, enhanced by the very effective and cooperative interagency efforts made possible by the advent of the South Florida Task Force, resulted in the seizure of 1,859,319 pounds of marihuana during the first 9 months of 1982—more than during the entire years of 1980 and 1981.

In all during 1982, 2,380,041 pounds of marihuana were seized by the Coast Guard in the 7th District. A most significant feature of this increased seizure total is that it was mainly accomplished during the first four months of the year. Since then the amounts of marihuana seized have dropped steadily fro a high of 401,842 pounds in January 1982 to a low of 29,735 pounds in July 1982. So far in 1983, we have seized 1,111,435 pounds of marihuana. In light of increased interdiction resources and improved and coordinated interdiction intelligence, this reduction in seizures is strongly indicative of reduced illicit traffic in the choke points, a situation supported by our intelligence. This reduced traffic is most probably caused by:

(1) A realization on the part of the drug traffickers of the increased risk.

(2) Dramatic increase in the amount of marihuana grown within the United States;

(3) The use of alternative routes or transportation modes to circumvent our enforcement efforts;

(4) The need to convert vessels for the transport of marihuana in hidden compartments; and

(5) The relatively small 1982/83 marihuana harvest.

Two significant challenges to the combined Coast Guard/Task Force/NNBIS efforts have emerged. First, new traffic trends, in addition to the traditional choke point routes, have developed. A traffic pattern has been noted eastward through the Anegada Passage and Windward/Leeward Islands and then northwestward along the eastern edge of the Bahamas. During the summer months, additional traffic has been noted to take a northerly route after the Anegada/Windward/Leeward transit, with ultimate destinations being the mid-Atlantic and New England States. This, in part, resulted in the creation of NNBIS. By reprogramming resources and modifying our tactics the Coast Guard initiated changes to combat these trends. But we recognize that significant removal of our existing resources from the choke points would most probably result in a quick return of traffickers to these more convenient conventional routes. We are aware of counter surveillance operations against our surface units by our opposition.

The second significant challenge has been the recent marked increase in the number of vessels which carry marihuana concealed in large hidden compartments. Again, as in the case of the new traffic patterns, we have taken innovative actions to combat transportation in hidden compartments; and several major seizures have resulted. Both the use of hidden compartments and the need to resort to additional, longer traffic routes are a strong indication of the increasing effectiveness of Coast Guard interdiction efforts in the choke points. The longer routes, the need to transfer cargo at sea, and the need for specially constructed vessels are costly and disruptive to the smuggling community. More importantly, we view this as a strong and accurate preception on the part of the traffickers that the Coast Guard may find them at any place and at any time.

During early October 1982, the Vice President's South Florida Task Force developed an operating concept designed to improve both intelligence cooperation and interdiction results. The concept included the establishment of an Interdiction Operations Information Center (IOIC). The IOIC was created in the Miami Federal Office Building, within Coast Guard spaces, mainly for reasons of security. The IOIC was constructed and was ready to operate by the end of October.

The mission of the IOIC is threefold:

(1) To maintain the best picture of all Federal forces which could possibly be brought to bear against a law enforcement problem;

(2) To maintain the best picture possible of all vessels which are suspected of being involved in the illicit trade of drug shipment; and

(3) To match these Federal forces against suspect vessels to interdict drug shipments.

The IOIC is a multiagency entity, under Coast Guard supervision, staffed by USCG, USN, USCS, USAF, USMC, and DEA personnel. It has operated 7 days a week, 24 hours a day, since 1 November 1982. It is not a command and control center. It analyzes the surface picture and puts together recommendations for surveillance and interdiction activity and submits these to the responsible command and control element of each participating agency for resource action.

To illustrate what the IOIC has done, I would like to relate an actual case scenario. The IOIC received information regarding a suspect vessel near the Bahamas. A nearby DEA aircraft was requested to investigate. That aircraft confirmed illicit activity. On this babis a Coast Guard cutter was diverted. Before the cutter was able to arrive on scene the DEA aircraft was forced to leave due to low fuel. In order to maintain continuous surveillance, a USN aircraft was diverted and a customs aircraft launched to cover the gap before the USN aircraft got on the scene. When the cutter arrived, one vessel was seized with marihuana aboard and another load was discovered to have been transferred to a Bahamian Island. Bahamian forces were alerted to investigate this stash.

Since the IOIC commenced operations it has received information on 1,340 suspect craft. Of this number, sufficient information was available to target 265 of them. An additional non-targeted 30 vessels have been interdicted and seized. In all, IOIC efforts have resulted in the interception of 138 targeted craft (including 5 aircraft) and the seizure of 83 of these. This translates into an overall interception rate of 52.0 percent of targeted vessels, and a seizure rate of 31.3 percent. The total of all IOIC related successes is 129 vessels, 5 aircraft, and 1,746,600 pounds of marihuana seized, and 569 persons arrested.

I have been pleased with the IOIC. While it has not yet reached its full potential because permanent people are only now being assigned, and the computer system and networking links are not yet completed, it is working well and constantly increasing its effectiveness as more and more raw information is received and converted into coherent law enforcement actions. The bringing together in one place of the experience and interests of all agencies with law enforcement responsibilities and agencies with resources which can possibly assist in the law enforcement effort is a significant step towards insuring the most effective resource utilization. The Coast

Guard has taken the initiative in further improving the IOIC by establishing six billets as our part of a permanant staff. The IOIC's future effectiveness depends upon such dedicated multiagency participation. Both the task force and the IOIC successes and have served as models for the formation of a nationwide system of similar regional centers—the heart of the national narcotics border interdiction system (NNBIS).

The advent of NNBIS has prompted the creation of the interdiction intelligence coordination center (IICC) to supplement the efforts of the IOIC. Located adjacent to the IOIC and permanently staffed by USCG, USCS, FBI, DEA and ATF personnel, the IICC is under Customs Service supervision. The mission of the IICC is to receive, collect, analyze and disseminate tactical and strategic intelligence in a timely manner to task force/NNBIS and other law enforcement units as appropriate. The primary objective of the IICC will be the production of tactical intelligence to support current operations. A byproduct of this objective will be the periodic production of strategic analyses to support planning, management and long-term operations. To the maximum extent possible intelligence derived or produced will be shared through the representatives of participating agencies. A basic tenet of the IICC concept is to use to the fullest measure, existing data bases, files and other intelligence resources to meet the IICC's objectives. The IICC will strive to become a virtual clearinghouse of law enforcement and national security intelligence information bearing on the mission of the Southeast NNBIS Region. The efforts of the IOIC and IICC are synergistic and illustrate the benefits of the effective interagency cooperation that has resulted from the creation of the South Florida Task Force and NNBIS.

Over the last year the increase in the Department of Defense's cooperative support of the national drug interdiction effort has been significant. I recognize that our sister services in DOD have an extremely important and resource intensive primary mission of national security. Nonetheless great strides have been made to utilize their assets for drug interdiction support. Of paramount significance has been the help provided by the U.S. Navy. While the Navy has been providing assistance to the law enforcement program since 1978, the clarification of the posse comitatus statute last year clearly opened the door to more extensive activity. Since then the Navy has increased its participation in sighting report activities, provided tow and escort services for seized vessels, provided both dedicated and nondedicated P-3 aircraft surveillllance flights, provided refueling and logistical support to Coast Guard cutters on patrol, and provided USN vessels for Coast Guard Boarding parties. This heightened activity was facilitated by a USN/USCG operations order (Oporder) which was conceived and implemented in August of 1982. This document governs Navy participation in Coast Guard law enforcement activities. I am happy to report that each aspect of Navy support addressed in that Oporder has been exercised as of this date. These services provided by the Navy have been instrumental in many of the successes of the maritime law enforcement program. To assist in the training of Navy personnel in law enforcement support missions authorized by the Oporder, the 7th Coast Guard District has organized and deployed a special tactical law enforcement team (Taclet) to conduct briefings and boardings. This team is composed of highly trained, experienced Coast Guard officers and petty officers. Specific Navy participation has included:

(A) Ten ship deployments with Taclet and five ship deployments with smaller Coast Guard laws enforcement detachments. During one such deployment the M/V *Receife,* A 90 foot vessel with 11 crew and 50,650 pounds of marijuana was seized by our Taclet operating from the U.S.S. *Mississippi* (CGN-40). On another deployment this past July, the M/V *Ranger* was seized by a Taclet operating from the U.S.S. *Kidd* (DDG-993). This seizure resulted in the arrest of 9 people and confiscation of 57,600 pounds of marijuana. This case set a precedent as USS *Kidd* had to use disabling gunfire to stop the M/V *Ranger.*

(B) Three different navy vessels engaged in towing/escort of seized vessels from the high seas to U.S. ports, thereby permitting patrolling Coast Guard cutters to remain on station to actively pursue their law enforcement mission.

(C) Two other instances occurred in which the U.S. Navy supported Coast Guard cutters in making seizures. On both occasions the Navy vessels involved provided refuelling and logistical services. In one of these cases, mere Navy presence in the form of a guided missile destroyer and aircraft is credited as being a significant factor in getting the suspect vessel to stop so it could be boarded by a smaller Coast Guard unit.

(D) P-3 fixed wing aircraft surveillance has been conducted on a regular basis. 250 hours of dedicated flight time and as of 30 September approximately 2,173 hours of non-dedicated time has been provided.

(E) USN surface vessel sightings have led to 2 seizures resulting in the arrest of 19 people and confiscating of 112,650 pounds of marijuana.

(F) New Navy hydrofoils, PHMS *Aquila* and *Taurus*, on their first patrol with a CG law enforcement detachment onboard investigated a vessel suspected of carrying contraband. This vessel was intentionally scuttled by its crew and sank. The 3 people on board were rescued from a raft by the PHMS.

(G) As a result of these Navy efforts, a total of 13 vessels have been seized, 145 people have been arrested, and 474,487 pounds of marijuana have been confiscated.

Other areas of Navy cooperation include:

(A) Numerous visits of Navy officials to the seventh district to become more acquainted with our law enforcement activities. Among these officials are Adm. McDonald (Cinclant), and Mr. J. Ronald Denny, Principal Deputy Assistant of the Navy for Manpower and Reserve Affairs.

(B) A memorandum of understanding with the Navy has been signed recently which permits temporary stowage of seized vessels and the transfer of persons to a Navy facility at Guantanamo Bay, Cuba. This will shorten considerably the amount of time a patrol vessel will be absent from her windward passage station.

(C) Since early November 1982, the Navy has continually provided 3 or 4 people to assist in the operation of the IOIC.

During December 1982, we made inquiries to the U.S. Army, seeking air surveillance support. We identified a specific maritime area which was within the range of Army aircraft and had a Coast Guard cutter scheduled to patrol that area. The Army response was positive in that, conceptually, they were willing to help. While we are still working to acquire regular Army assistance, the Army has authorized the Georgia Air National Guard to fly surveillance missions. We have found the Georgia Air National Guard enthusiastic, and the growing relationship is proving fruitful for both services. The Georgia Air National Guard now flies regularly in support of Coast Guard law enforcement. A visit by the Deputy Under Secretary of the Army, John W. Shannon, during January 1983 focused on these efforts. We received assurances from Mr. Shannon that he would take the necessary steps to facilitate Army support to the law enforcement mission. I am extremely grateful for this commitment.

My experience with the Air Force in law enforcement matters began in mid-October of last year with the establishment of the IOIC. Our need with respect to Air Force assistance was two fold: Airborne surveillance assistance and qualified personnel to participate in IOIC activities. The Air Force responded positively and provided people for the IOIC. Early on in this effort, posse comitatus questions surrounding Air Force participation in the law enforcement mission surfaced. These were and still are being addressed to insure Air Force participation is entirely consistent with posse comitatus. During the ensuing period, numerous meetings and discussions between Coast Guard and Air Force personnel have taken place both locally and in Washington in an effort to familiarize the Air Force with the Coast Guard law enforcement program and resolve the posse comitatus issues. Through Air Force participation in IOIC we are gaining sighting information from Air Force flights. We recognized that Air Force resources assigned over water missions provide opportunities to obtain sighting information, augmenting our information base. The operating units that we have contacted willingly assist if resources are available. In July a memorandum of understanding between the Coast Guard and Air Force was signed. This document forms the basis for Air Force support to the maritime law enforcement effort.

I have discussed the importance of Coast Guard law enforcement efforts to date and the cooperation made possible by the efforts of the Vice Presidential South Florida Task Force, NNBIS, and the assistance of Department of Defense resources. Just as important is the continuing cooperation with State and local law enforcement officials, which is enhanced by both the task force actions and the recent creation of law enforcement coordinating committees (LECC's) by the Attorney General.

In terms of the Coast Guard's commitment, I am pleased to list a few of the new resources obtained by the seventh district and those planned for the near future.

(A) The 210 foot medium endurance cutter (MEC) *Decisive* was permanently transferred from New England to St. Petersburg in July 1982.

(B) The 210 foot MEC *Reliance* was permanently transferred from Virginia to Port Canaveral in August 1982.

(C) Three new surface effect ships (SES) have been added to our fleet and are homeported in Key West. Two, the *Shearwater* and *Seahawk*, arrived last November. The third, CGC *Petrel*, was commissioned this past summer. These versatile ships are well suited for law enforcement operations, and are capable of improved dash speeds essential for some interdiction cases. They are also capable of operating in the choke points in company with a medium endurance cutter. Since 29 January 1983, when *Seahawk* made the first SES drug seizure, these speedy new vessels have made a total of 9 drug seizures.

(D) Funding has been appropriated for eight new off-shore patrol boats. We hope the first of these vessels will be operational during 1985.

(E) Six new HU-25 Falcon jets have been delivered to Coast Guard Air Station Miami. Two more will be delivered to our air station in Borinquen, Puerto Rico in November.

The increased number of arrests and seizures over the past several years, which I previously mentioned has been accompanied by an increase in the rate at which Coast Guard cases are accepted for prosecution and at which convictions are obtained. In 1981, the prosecution rate for Coast Guard cases was 70 percent. In 1982, the prosecution rate for cases involving significant quanitites of marijuana was almost 80 percent. Thus far in 1983, the rate is 100 percent. This improvement is attributed to the increased efforts of the U.S. attorney's office, including the one in Miami where most cases are tried. Where necessary, the U.S. attorneys have brought in additional prosecutors. We can also see the favorable impact of the additional resources and vigor brought to the criminal prosecution of drug cases by the task force. It has provided additional investigative resources which have allowed us to pursue several cases which may not have been accepted for prosecution. Of the 79 multi-defendant cases tried as a result of Coast Guard seizures in 1982, conviction of at least one defendant occurred in 95 percent of the cases (compared to 92 percent in 1981). As of 31 December 1982, 427 defendants were tried as a result of seizures made in 1982; of these, 391 (or 92 percent) of the defendants were convicted compared to 78 percent for 1981. In 1983, 143 defendants have been tried, and 122 (or 85 percent have been convicted. In addition to the development of improved procedures to gather and preserve admissible evidence, one of the major reasons for this increased conviction rate is the judicial ruling that Public Law 96-350 (21 USC 955a), as it applies to stateless vessels on the high seas, is jurisdictionally and constitutionally sound. The United States Court of Appeals for the Eleventh Circuit, in U.S. versus Marino-Garcia, so held in July 1982. This is an important ruling since 24 percent of the acquittals or dismissals in 1981 cases were the result of trial court findings that 21 USC 955a was unconstitutional as applied to foreign crewmen found on stateless vessels.

The few cases of individuals acquitted in 1982, or whose cases were dismissed, fell into two categories, about half were based on the defendants being foreigners on foreign vessels when there was insufficient evidence of intent to import into the U.S.; half were based on the mere presence of the defendants aboard a drug-laden vessel. In 1983, there have been only 21 persons in 4 cases acquitted, and these were based on the mere presence defense. In the future, we anticipate a continued improvement in the percentage of arrestees brought to trial and convicted. We are looking into chemical analysis and other techniques to refute the mere presence defense.

The average sentence received by convicted Federal defendants in 1982 was about 2.2 years in Florida, 2.0 years in Puerto Rico, and 4.5 years in South Carolina. Thus far in 1983, 83 defendants have been sentenced. We are seeing stiffer sentences for principal actors and recidivists. The low level deckhands are typically receiving about 6 months in prison. The sentence average is 1.2 years.

On January 25, 1983, in the U.S. District Court for the District of Puerto Rico, the jury returned verdicts of guilty against the eleven defendants who were arrested on board the M/V *Recife* by the Coast Guard tactical law enforcement team (Taclet) operating from U.S.S. *Mississippi* on November 20, 1982. This case was the first boarding and seizure of a vessel, and subsequent prosecution of crewmen, as a result of action taken by Coast Guard personnel operating from a Navy vessel. Prior to the trial on the merits, the defendants made a motion to dismiss the case for violation of the Posse Comitatus Act. Their contention was that it was unlawful for a Navy ship to serve as a platform for a Coast Guard boarding party. The U.S. district court in its memorandum opinion fully adopted the Government's position and held that it was clear that there was full compliance with all laws and regulations in regard to posse comitatus.

The *Recife* case has already served as precedent in the U.S. District Court of Puerto Rico where, on September 23, 1983, the M/V *Ranger* case was successfully prosecuted and all defendants were convicted despite a motion based on posse comitatus. The high pressure environment in which such cases are processed has welded the various Federal agencies closely together. Cooperation between the Coast Guard, DEA, Customs, U.S. attorney's office and other agencies is excellent. We constantly meet and communicate, frequently on a daily basis. I attend monthly meetings with all Federal law enforcement agency heads. My legal staff meets almost daily with the various assistant U.S. attorneys prosecuting Coast Guard seizure cases and attends their weekly case review meetings. That element of my legal staff dedicated to providing support and liaison to the U.S. attorney's office, has been increased. Such close cooperation exists not only at the agency head level, but continues down to the working level as I have described. Currently we are working together under a basic memorandum of understanding between Coast Guard, Customs, DEA, and the U.S. attorney's office.

Mr. Chairman, before concluding my formal remarks, I would like to briefly describe the relationship that exists between the south Florida task force and NNBIS. The success of the task force was, in part, responsible for the creation of NNBIS by the Vice President in March 1983. NNBIS was established as a permanent program to protect our borders, operating in every region of the Nation. It utilizes the general principles and the most successful interdiction techniques of the south Florida task force in order to buttress our national drug deterrent effort. The main differences between the task force and the southeast NNBIS region can best be categorized in terms of mission areas and limits of geographic responsibility.

(1) NNBIS is primarily concerned with the interdiction of narcotics being smuggled across our borders. In this effort NNBIS works closely with the Attorney General's twelve organized crime drug enforcement task forces (OCDETF), whose primary goal is to bring to justice the men and women at the highest levels of drug and other criminal organizations. The geographical limits of the southeast NNBIS region extend from the Maryland-Delaware border to the west coast of Florida to about Apalachicola and includes the Caribbean.

(2) The south Florida task force is concerned not only with narcotics investigations, but also with money laundering, firearms smuggling, and conspiracy cases involving any or all of these. The geographical limits of task force efforts have traditionally been the Caribbean and the State of Florida.

(3) Coast Guard missions related to this effort include the interdiction of both narcotics and illegal migrants. The boundaries of the Seventh Coast Guard District, as I have noted previously, include the Caribbean and the State of Florida, Georgia, and South Carolina, I therefore work very closely with the Commander, Fifth Coast Guard District (North Carolina, Virginia, Maryland), in carrying out my NNBIS duties. I feel very comfortable with my various responsibilities and believe that our efforts are well coordinated and effective.

Much has been done to improve our efforts to interdict this illicit drug traffic. However, much remains to be done. Under the south Florida task force and NNBIS we have established mechanisms to effectively address the maritime smuggling situation. A multi agency effort which includes the USCS, USN, USAF, DEA, US Army, USMC, ATF, FBI, and USCG is underway. We are working to improve our exchange of intelligence information and our joint communications capability, we are currently conducting a number of joint operations with DEA, Customs, the task force, and NNBIS. Each such operation has a synergistic effect, improving the ability of all our agencies to deal with the problem both on the individual agency level and as part of the joint Federal effort. In the future we will continue to emphasize such joint operations in all areas of the interdiction program including strategy, tactics, intelligence, and field operations. Increasingly, plans are being made to include the U.S. Navy and other DOD resources as well as State resources such as the Florida Marine Patrol in these cooperative efforts.

While recent congressional and administration initiatives have increased our effectiveness in drug interdiction, problem areas continue which may be resolved by future legislative consideration. For instance: the prosecution of stateless vessel cases is frequently hampered by the necessity of obtaining, through diplomatic channels, vessel registry status. This is required to establish the flag status of the vessel in response to frequent specious claims which are unsupported by documentation. Constraints currently imposed by the forfeiture process also detract from the efficient administration of seizures. The Customs Service spends $425,000 annually on the storage and maintenance of vessels awaiting forefeiture, and since such proceedings are cumbersome and time-consuming, the vessels seriously deteriorate in the interim.

In my judgement it is too early to tell if our efforts have raised the deterrent level to the point where long term patterns of maritime drug smuggling have changed. However, there is little doubt that our efforts are having an impact. Drug smugglers are being forced to resort to more devious and complex strategies, including much higher pay for their crews and use of highly sophisticated equipment in their attempts to elude us. As we continue to succeed in interdicting and prosecuting more and more of these vessels and their crews, our deterrent effect will increase. Perhaps someday maritime drug smuggling will become too risky to be profitable. That concludes my prepared testimony, Mr. Chairman, I will be happy to answer any questions you or the others may have.

STATEMENT OF PETER F. GRUDEN, SPECIAL AGENT IN CHARGE, MIAMI DIVISION, DRUG ENFORCEMENT ADMINISTRATION, U.S. DEPARTMENT OF JUSTICE

Chairman Rangel, Members of the Committee, I am pleased to appear before you to discuss the Drug Enforcement Administration's cooperative initiatives with other Federal, state, and local authorities to combat drug trafficking and abuse in South Florida.

The Miami Field Division has both domestic and foreign drug enforcement responsibilities. Because of these responsibilities, we have offices located in San Juan, Puerto Rico; Kingston, Jamaica; Nassau, Bahamas; Santo Domingo, Dominican Republic, and nine offices throughout Florida. The Miami Field Division also staffs the DEA elements of the Florida Joint Task Group and the National Narcotics Border Interdiction System (NNBIS). The initial DEA staffing of the Joint Task Group was 73 Special Agents, 4 Intelligence Analysts and 6 Clerical/Support personnel. The Special Agent personnel were assigned to Miami, Homestead, Key West, Ft. Lauderdale, Tampa, Jacksonville and a Carribean unit. The initial assignment of all personnel was on a temporary duty basis. We are now in the process of filling the twenty-two permanent positions authorized to the Task Group. This includes 17 Special Agents, and 5 Clerical/Technical positions. In addition to the authorized positions for the Florida Joint Task Group, the Miami Field Division devotes an Administrative Support Specialist on a full time basis and 2 Senior Intelligence Specialists on a part-time basis. We also have Task Group responsibilities in Jacksonville, Tampa, Ft. Myers and Key West. There personnel are with the U.S. Customs Service and report to the DEA Resident Agents in Charge in those cities, with the exception of Key West, who report directly to the Joint Task Group in Miami.

Our staffing at NNBIS is 5 positions. One Special Agent and one Intelligence Analyst are assigned to the Marine Smuggling Section, Interdictions Operations Intelligence Center, and a Special Agent and an Intelligence Analyst will be assigned to the Tactical Intelligence and Support Section, Intelligence Informaton Coordination Center. An additional Special Agent will be assigned to Admiral Thompson's staff as an Assistant to the Coordinator.

Total DEA personnel authorized the Miami Field Division (including the Joint Task Group and NNBIS) is 320. They are as follows:

Special agents	206
Regulatory investigators	13
Intelligence specialists	13
Administrative clerical/technical	88
Total	320

The technical Operations Office, Miami Field Division, supports the Joint Task Group by supplying radios, cameras and other equipment on an emergency and as needed basis. Issued equipment is supplied the Task Group out of Headquarters Technical Operations. Miami Technical Operations personnel also install equipment such as pen registers and disguised intercept equipment and offer their expertise as required. Approximately $600,000 in technical equipment and support have been committed or purchased to assist the Joint Task Group.

The general topography and geographic location of Florida, Bahamas, Jamaica, and the Dominican Republic are ideal for both air and marine smuggling. Florida has many miles of isolated flat terrain, farms, ranches and citrus groves where general aviation aircraft can land to offload or jettison cargo to waiting ground crews. Many of the 300 registered landing strips located throughout Florida are unattended after sundown. Air smugglers who fly at low altitude to evade radar use these strips with little fear of detection.

In March 1982, DEA, through the U.S. Embassy in the Bahamas purposed to the Bahamian Government a collaboration of law enforcement agencies of the United States and those of the Bahamas and Turks and Caicos Islands. This cooperative effort was designed to interdict and disrupt narcotics networks using the islands as launch points into the United States. This operation, code named "BAT" (Bahamas/American/Turks and Caicos Islands) has used DEA, U.S. Coast Guard and U.S. Customs aircraft to ferry Bahamian law enforcement agents under Bahamian supervision to raid drug and fuel caches as intelligence information became available. Similarly, Turks and Caicos law enforcement officers have operated in their islands, as their Governments have approved participation in the operation.

This effort has made a substantial impact on the disruption of the drug trade. However, the trade has not been stopped but rather has been modified in its character. Reliance on maritime means of smuggling marijuana has shifted from larger boats to smaller craft. Even within the aircraft trade, emphasis has shifted from larger aircraft to smaller aircraft. The number of "entrepreneurs" or self-employed traffickers has grown. Some of the entrepreneurs have been persistent and innovative in their tactics which has required us to change our efforts from time to time.

The most consistent tactic has been the flight of trafficker aircraft which leave Colombia and Jamaica and are observed by U.S. radar. U.S. Customs aircraft identify and pursue these aircraft to drop zones in the Western Bahamas. Our task has been to deliver Strike Force police at the time and point of delivery. This is difficult in the best of circumstances.

We compliment the Bahamian authorities on their effective cooperation in Operation BAT. The professionalism of the Strike Force Officers have been the source of great satisfaction. The following are statistics for Operation BAT for the period of April 1, 1982 through August 31, 1983.

Operation BAT

Arrests	118
Drug seizures:	
Cocaine (lbs.)	1,685
Marijuana (lbs.)	227,263
Nondrug seizures:	
Vehicles	$7,300
Vessels	632,500
Aircraft	2,205,000
Firearms	4,600
Radio equipment	2,000

Note.—The BAT statistics are not included in the Miami Field Division or Florida Joint Task Group.

In addition to drug smuggling, Florida is plagued with alien smuggling from Haiti, Jamaica, and Colombia. This problem, coupled with the influx of Mariel refugees, has created wide reaching problems within the community. The problems include overcrowded medical and jail facilities, and increased violent crime.

The uninhabited islands of the Bahamas are used for stockpiling fuel and transferring large drug loads for transport via small boat or general aviation aircraft delivery to the United States.

The following drug removal figures cover 10 months of fiscal year 1983 for the Miami Field Division and the Joint Task Group:

ALL SOURCES DRUG REMOVALS

FY 1979 - FY 1982

	FY-79	FY-80	FY-81	FY-82	FJTG FY82*	COMBINED FY 82**
Heroin	2,968.0 g 6.5 g	2,449.9 g 5.4 lb	1,116.6 g 2.5 lb	5,546.7 g 12.2 lb	0.0 g 0.0 g	5,546.7 g 12.2 lb
Cocaine	503,393.2 g 1,109.7 lb	2,240,964.3 g 4,940.4 lb	1,820,090.7 4,012.6 lb	2,137,741.6 g 4,712.8 lb	840,147.8 g 1,852.2 lb	2,977,899.4 g 6,565.0 lb
Cannabis	566,306.2 kg 1,248,478.7 lb	396,235.0 kg 873,539.7 lb	1,135,696.1 kg 2,503,755.6 lb	651,880.2 kg 1,437,135.1 lb	440,095.6 g 970,234.8 lb	1,091,975.8 kg 2,407,369.9 lb
Methaqualone	3,732,730 du	15,722,568 du	9,773,624 du	1,425,053 du	102,510. du	1,527,553 du
Other	1,114 059 du	187,376 du	445,506 du	1,007,168 du	389 du	1,007,557 du

*Florida Joint Task Group March - Sept. 1982

**COMBINED totals of MFD FY 82 and FJTG FY 82

MIAMI FIELD DIVISION

Drug Seizures (to 7/31/83)

Heroin	235.1	grams (9.04 oz.)
Cocaine	1,600,893	grams = 1600 Kilograms = 3522 lbs.
Marijuana	218,766.5	Kilograms = 481,286.3 lbs.
Methaqualone	653,170	d.u.
Other Dangerous Drugs	179,080	d.u.

Arrest by drug (to 7/31/83)

Heroin	15
Cocaine	340
Methaqualone	44
Other Dangerous Drugs	22
Includes 305 Class I & II	1075*

Non-drug Seizures (to 7/31/83)

Number of non-drug seizures = 565

Value: $113,005,771

Number of Forfeitures: 53

Value: $ 9,781,756

FLORIDA JOINT TASK GROUP

Drug Seizures (to 9/21/83)

Heroin	14.4	grams (½ oz.)
Cocaine	2,434,904	grams = 5,367.9 lbs.
Marijuana	463,023.1	kilograms = 1,020,780 lbs. = 510 tons
Methaqualone	57,953	d.u.
Other Dangerous Drugs	33,797	d.u.

Arrests by Drug (to 7/31/83)

Heroin	0
Cocaine	192
Marijuana	382
Methaqualone	5
	579*

*Includes 19 Class I and II

Non-drug Seizures (to 7/31/83)

Number of non-drug seizures: 121

Value: $3,459,098

Number of Forfeitures: 5

Value $ 16,131

Marijuana seizures, while still substantial are 900,000 lbs. less than the full fiscal year 1982.

Probable reasons for this decline are:

(1) Increased enforcement presence, including military resources in this area:

(2) Rerouting marijuana shipments to other locations in the Northeastern United States:

(3) Decreased production of Colombian marijuana:

Additionally, the reduced demand for marijuana in the U.S. is undoubtedly contributing to the reduced supply situation. Seizures of cocaine exceed all of fiscal year 1982 by 2300 lbs. Florida, because of its geographic location still serves as a focal point for the entry of cocaine and marijuana. Compounding the smuggling is the emergence of mobil clandestine laboratories. So far this Fiscal Year, three cocaine conversion labs were seized and one cocaine conversion lab exploded. Two methaqualone labs have been seized, plus one mescaline lab, one PCP lab and one methamphetamine lab.

Colombia remains the major source country for cocaine, marijuana and methaqualone. Colombia's unenviable position as chief source country was aided by a number of factors:

(1) Colombia's geographic position—its closeness to the United States and access to both the Atlantic and Pacific.

(2) A large aggressive criminal underworld, with extensive business expertise.

(3) The existence in the United States of large Colombian populations concentrated in New York, Miami and Los Angeles, the principal distribution centers for cocaine.

(4) The lack of a meaningful coca eradication program in source areas of Bolivia, Peru and Colombia.

Some of the Colombian drug organizations are now using the criminal element of the Mariel boatlift for bodyguards, drivers, counter-surveillance and musclemen. While drug-related violence is subsiding, it still plagues South Florida.

With cocaine availability up and prices dropping, cocaine is now available to more users. In Dade County, the number of cocaine deaths in 1981 was 48 but in 1982, that number dropped to 16. So far in 1983, there have been 11 verified cocaine deaths with toxicology reports pending on several others.

Heroin deaths dropped from 7 in 1980, to 1 in 1982. There have been no toxicology verified heroin deaths so far in 1983. This decline is due to the fact that the majority of heroin addicts have switched from low-grade heroin to Dilaudid which is obtained maintly through prescription. The Florida regulatory office and DEA's Diversion Group are currently investigating several over-prescribing physicians.

Another indicator for abuse patterns is the change in state and local arrests in Florida. For example, in 1976 there were 1,995 arrests for possession and sale of heroin. In 1982, there were 439 such arrests, while arrests for synthetic narcotics such as Dilaudid rose from 447 in 1976 to 1100 in 1982. State and local arrests for cocaine possession and sale in 1976 totaled 1,053, and rose to 4,646 in 1982. Marijuana arrests have remained the most consistent, with 20,592 in 1976 and 26,143 in 1982. Youths, 21 and under, accounted for 29.1% of all Florida drug law violation arrests in 1982.

The Miami Field Division has provided training to 443 law officers from throughout Florida thus far in 1982. These schools are from three to ten days and cover a variety of subjects such as Reverse Undercover Operations, Financial Investigations, Drug Identification and Surveillance.

The Miami Field Division in addition to working joint, cooperative investigations with Federal, State and local officials refers intelligence to the appropriate office for their information and pursuit. U.S. Customs for example, receives a copy of every teletype concerning marine and air smuggling, and our personnel are in daily contact with them to pass perishable information. During the period December 1982 through August 1983, on numerous occasions the Miami Field Division referred information to Customs. As a direct result of this information there were seizures of 4,730 lbs. of cocaine, 48,900 lbs. of marijuana and cash seizures totaling $5,511,000.

The Miami Field Division has a number of joint investigations currently being conducted with FBI, IRS, Metro-Dade, and several Sheriff's offices throughout the state. The key to our success is going to be to continue the spirit of cooperation and coordination which exists among the various Federal, state and local agencies.

We are very busy here in Florida and the Caribbean, and we appreciate the interest of the Committee in focusing attention on the problem here, and in your efforts to assure that we have adequate resources to deal with the problem.

TESTIMONY OF ROBERT N. BATTARD, SOUTHEAST REGIONAL COMMISSIONER OF CUSTOMS

Chairman Rangel, Members of the Select Committee, I would like to thank the Chairman for his kind invitation to testify on the activities of the Customs Service. In South Florida the most harmful side effects of the narcotics industry are exposed on a daily basis as local news. It is this threat to the security of the American citizens in their homes that makes our task at Customs so vital. It is our mission to intercept the flow of narcotics into the country before its social and economic burdens can be felt. We carry out our mission through the combined efforts of Inspectors at ports of entry, Patrol Officers, the investigative talents of our Special Agents, and the tedious and diligent research of intelligence analysts.

The Customs Service is our first line of defense at the borders. The Customs Inspector serves as an important member of an enforcement agency and a welcoming representative of the United States. It is their task to enforce our import and tariff laws and still provide our citizens that travel overseas and our foreign guests with fast, efficient processing into the country. New passenger processing systems have been implemented in many of our major airports of entry including New York, Miami, and San Juan. Passengers are being processed in less time and enforcement results have increased significantly. Extensive use of profiles and de-emphasis on the screening for minor infractions have allowed us to concentrate on the more dangerous threat to our society—the professional narcotics smuggler.

We are not overlooking small violations but rather leaving more discretion to the Inspector. If a minor infraction was detected on a flight from Colombia, under our old system the inspector might be filling out forms while a smuggler walked by with 20 pounds of cocaine.

Our Customs Patrol Officers work on the land, in the air, and along our coastline to prevent the landing of contraband, primarily narcotics on U.S. soil. In light of recent posse comitatus legislation, we have been able, finally, to provide our Patrol Officers with state of the art equipment on loan from the Department of Defense which makes us more competitive in the fight against the professional smuggler. With the continued support of the Congress and the Defense Department our officers will better be able to fight a threat that, in the past, had been better equipped and better financed.

The full resources of the United States Government are being committed to the National Narcotics Border Interdiction System (NNBIS). The Customs Service is very pleased to be a major contributor to this effort which has proven both successful and exceptional. 'The success is measured in the results achieved and the exceptional cooperation among agencies with diverse missions. Customs heads three of the six NNBIS regions, with Coast Guard heading the other three. The Customs Service has much of its personnel resources assigned to NNBIS operations and all available equipment is committed to NNBIS when needed.

The military assistance provided by the Defense Department has been of great help to Customs. Their assistance takes the form of loaned aircraft and joint operations. The Army has loaned Customs Black Hawk and Cobra helicopters and will make available C-12 tracker aircraft. The Navy has been supplying detection data from the E-2C Hawkeyes (Mini-AWACS) and has planned with Customs to loan us P-3's as Customs manned detection platforms. The Air Force has provided us with the use of E-3A AWACS, and their radar balloon facilities at Cudjoe Key and most recently at Patrick Air Force Base.

The sophisticated aircraft on loan from the Army and the radar facilities made available to us by the Air Force are steps in creating a nationwide strategy to strengthen our border defense against the smuggling threat.

The air strategy presently deployed by Customs is known as the Air Module concept. The Air Module consists of detection capabilities, intercept aircraft, tracking aircraft, and, finally, apprehension aircraft.

The detection phase is made up of a net of radar stations and specialized aircraft that carry state of the art look-down airborne radar. With this net we can identify suspected smugglers and vector intercept aircraft to them. The intercept phase is the launch of a high-performance jet or turboprop aircraft to locate and establish tracking of the suspect.

Once the intercept has been made and the tracking aircraft has acquired the target, we attempt to covertly follow the smuggler to his final destination where our apprehension aircraft, which is usually a helicopter on loan from the U.S. Army, can drop down on him and any waiting ground crew to make arrests and seize the contraband.

The apprehension phase has been the most difficult task in the strategy until the recent loan of helicopters by the Army.

The Black Hawk and Cobra helicopters have given us much improved capabilities, have increased our apprehension effectiveness and have eliminated the requirement for Customs Officers to take the same risks as the smugglers they chase.

In order to improve our effectiveness, continued Congressional support to acquire, staff, and maintain aircraft on loan from the military will be needed to complete the Air Module strategy on a National level.

We have recently implemented a Marine Module strategy which utilizes large unmarked boats as radar platforms to direct interceptor speed boats to suspect marine traffic.

All of the recently implemented Customs strategies and improved cooperation with other agencies were in large part developed as part of the South Florida Joint Task Force. It was with this operation that the Drug Enforcement Administration and the Customs Service set the pace by creating an entirely new Investigative Task Group which is still in operation in Florida.

In addition to Customs investigative and support personnel permanently assigned to the Task Force, we are contributing to the overall investigative effort in other ways. The Financial Law Enforcement Center (FLEC) is investigating the international laundering of U.S. currency through the use of computer technology. Special financial task groups of investigators have been established throughout the country. This is our attempt to attack not only the product of the narcotic industry but its capital base as well. We are also expending much effort in identifying ground crew members and dock workers at our Ports of Entry who assist smugglers by attempting to conceal from Customs containers, packages or baggage which contains narcotics.

The final element to the Customs Service's combat team is a strong intelligence organization. New field intelligence units are being formed so as to better provide Customs Officers with badly needed information about smuggling activities within their geographical responsibilities.

This has been the final block which we needed to put into place to carry on our fight against smuggling. We recognized that there was a definite need to improve our system of providing intelligence to line officials so as to enhance our efforts in what up to now has often seemed an almost impossible task.

In conclusion, Mr. Chairman, I would like to thank the Committee for providing this opportunity to address you on our work and progress toward improving the Customs Service's enforcement presence. We know with the emphasis we have put on improved strategy and tactics that if the Inspection, patrol, Investigative, and Intelligence elements we have in place are allowed to grow we can meet the threat of smuggling and make it a highly unprofitable venture.

If you have any specific questions regarding this testimony, I would be very happy to provide further information.

TESTIMONY OF JOSEPH V. CORLESS, SPECIAL AGENT IN CHARGE MIAMI DIVISION, FBI

Mr. Chairman, the enormity of the drug problem facing this country cannot be overestimated. In the next two days, I'm sure you will hear much testimony about the levels of illegal trafficking and its adverse impact on our society. I, therefore, will not address this issue at length. Let me only emphasize that drug trafficking itself is only one side of the coin. If we turn the coin over, we notice perhaps something even more sinister: a second wave of crime. In 1980, a team of Temple University experts completed an 11 year study of 240 male addicts and found that as a group these individuals had committed more than 500,000 crimes while using drugs. Additionally, we have identified the grave corrupting influence the drug economy has had on our public officials. In Henry County, Georgia, for instance, the FBI arrested the Sheriff, the Chief of Police, the probate judge and the manager of the airport for providing a safe landing and escort system to take drug traffickers to Atlanta. Indeed, in Miami, the arrests and convictions of several members of our law enforcement community, both on a Federal and local level, for drug related charges is ample warning that no one is totally immune from the temptations associated with huge drug profits.

Mr. Chairman, Judge Webster, Director of the FBI, in remarks made this past July before the Ninth Circuit Conference perhaps best summarizes the drug problem in this country. He said, ". . . it has become the number one crime problem in the United States. It's creating more violence, causing more corruption than any other single factor in the whole range of crimes and . . . the FBI simply had to be a part of the effort to deal with it."

Mr. Chairman, having mentioned our perception of the drug problem, let me now turn to a discussion of the FBI's role and efforts in South Florida to help curtail drug smuggling.

On January 28, 1982, the Attorney General delegated to the FBI concurrent jurisdication with the Drug Enforcement Administration to investigate violations of the Comprehensive Drug Abuse Prevention and Control Act of 1970. Pursuant to this delegation, the FBI's Miami Division intensified its Narcotics Program by increasing manpower commitments and equipment to the investigation of narcotics cases. Unlike many other FBI field offices, however, the Miami Division had already committed resources to combat narcotics related crimes even before the FBI was delegated concurrent jurisdiction. Early on, we recognized the enormity of illegal drug trafficking into South Florida and made a concentrated effort to attack the problem. In 1978, the FBI and DEA embarked upon a joint investigative effort to identify major drug money launderers. In this regard, the FBI initiated a two year undercover operation code named BANCOSHARES in which we established a business through which profits of major narcotics cartels operating in South Florida were laundered. During the course of the operation, the FBI laundered over $170 million in cash and reached into four major Colombian cartels. The traffickers were bringing cash in so fast that our undercover agents did not have time to count the money. We ended up purchasing a counting machine to keep our operation functioning efficiently. When the case was surfaced, the FBI and DEA arrested almost three dozen persons, confiscated substantial narcotics and weapons, seized over $6 million in cash, $11 million in bank accounts, numerous planes, boats, and automobiles, and a 4,600 acre ranch valued at over $4 million. Unfortunately, but perhaps illustrative of the international flavor of the BANCOSHARES subjects, many principals who were indicted are now fugitives currently residing in Colombia.

The FBI in Miami also successfully culminated another major drug investigation prior to the Attorney General's delegation of narcotics jurisdiction to the FBI. In 1979, we developed information that a Miami based group were major narcotics distributors in South Florida with distribution outlets into the southeast and northeast regions of the U.S. The group was responsible for the importation of over 100,000 lbs. of marijuana and 500 kilos of cocaine per month. The FBI employed an assortment of investigative techniques to penetrate and detect the group's activities, including court authorized wiretaps. In 1982, based upon our investigation, a Federal Grand Jury returned indictments against 70 individuals. Sixty persons, including the group's leader, have thus far been convicted. In the course of the investigation, over 55,000 pounds of marijuana valued in excess of $10 million was seized, along with homes, a ranch and vehicles. In fact, one of the group member was convicted of attempting to bribe an employee of the FBI as he was seeking information about this investigation.

With the expansion of its narcotics jurisdiction, Mr. Chairman, the FBI in Miami has significantly added personnel and other resources to narcotics investigations. We now have two narcotics squads consisting of 33 agents working non-traditional organized crime narcotics investigations. In addition, we currently have approximately 30 other Special agents assigned to two other traditional organized crime squads that are also involved in the investigation of narcotics related mattters on a full-time basis. Mr. Chairman, I should also point out that currently, because of certain investigations now pending, we have approximately 23 additional support Special agents assigned to narcotics investigations full-time. However, I expect this latter number will vary on a daily basis. In all, therefore, the Maimi Division has approximately 86 agents committed to the Narcotics program.

Of course, Mr. Chairman, the allocation of manpower as I have just described is not the full picture. We have found that the drug economy permeates throughout other crime programs. Hence, we now have a number of agents assigned to squads which handle personal and property crimes working drug related cases. For instance, in July, 1983, a Federal Grand Jury in Miami, based upon a joint FBI/DEA undercover operation investigation code named TRADEOFF, indicted 11 individuals charging them with Theft from Interstate Shipment. The curious aspect of this case was the fact that the items stolen from the tractor trailers traveling in interstate commerce were traded for marijuana, cocaine and methaqualone. By the time operation TRADEOFF culminated, the FBI and DEA had seized over $7 million in narcotics and stolen merchandise. Operation TRADEOFF, though extensively a drug investigations, involved the use of agent personnel assigned to our Property Crimes Program.

Mr. Chairman, although we welcome the expansion of our jurisdiction over drug matters, because of manpower limitations, we have had to become selective in the types of drug cases we investigate. Cases being opened in Miami involve principal subjects who are associated with traditional organized crime families, are public officials, or are members of a criminal organization that is so extensive that they have an impact regionally or nationally. In short, we intend to concentrate our efforts on long-term complex investigations which are aimed at both attacking the management level of sophisticated drug cartels that make huge profits and tracing the financial flow of drug profits for seizure.

Let me, Mr. Chairman, tell you about one such case which I think will amply illustrate just how exemptionally sophisticated some drug cartels have become.

In April of this year, the FBI culminated an extensive investigation into drug trafficking in the Ft. Pierce, Florida region. Assisted by officers of the Patrol Division of the U.S. Customs Service, the FBI arrested two individuals, who at the time of their arrest, were on appeal bond after having been convicted in the BANCO-SHARES case. Agents seized 150 kilos of cocaine, two AR 15 converted fully automatic rifles, and other weapons. The two were recently convicted in Federal District Court and are awaiting sentencing. On the surface, this case appears to be a fairly routine drug trafficking case. However, what we found after conducting searches in connection with this matter was staggering. The trafficking operation used some of the most sophisticated and technically modern electronic equipment we had ever seen. The radio equipment had both national and intercontinental capabilities. We discovered that the traffickers had sensors capable of detecting the presence of electronic equipment such as body recorders and microphones. Additionally, the group even had sonar equipment which could be used to locate drug filled cannisters deposited on the ocean floor, perhaps by an airborne courier or ocean vessel. You can imagine how difficult it can be to penetrate drug operations which have communications and electronic detection networks which, in come cases, are even more sophisticated than our own.

FBI drug investigations have not been limited to cocaine and marijuana rings. In March, 1982, the Miami FBI located one of the largest clandestine quaalude laboratories in the U.S., seized over three million finished talbets, and enough pure methaqualone powder to produce over five million more tablets. Ten individuals were also indicted. In addition, we seized a pill press capable of producing 16 tablets per second. From an examination of the quaaludes we seized and quaalude seizures in other parts of the country, it was determined that the pill press recovered was used in the manufacture of quaaludes found in at least 40 other states.

In addition to initiating cases relating to narcotics activities, the Miami Office of the FBI also has the responsibility for investigating the South Florida numerous leads generated by other FBI field officer that handle drug cases. It has been estimated that over 80% of all cocaine and marijuana illegally entering the U.S. is trafficked through Florida. As such, we have found that a substantial portion of all drug deals are negotiated and arranged here. These factors have created tremendous manpower requirements to handle leads from other field offices, which are deeply involved in narcotics investigations. Our field office has very little control over the priority in the assignment and handling of leads because we have an obligation to service other field officers, even when cases they initiate may not compare in magnitude with cases in South Florida. For instance, two weeks ago a Federal Grand Jury in Kansas indicated two Miamians on charges of transporting 11 lbs. of cocaine into Wichita. The two subjects were trying to sell the cocaine to an FBI informant. Federal officials said that the cocaine, valued at approximately $1.5 million, was the largest amount of cocaine ever seized in Kansas.

Another case in which the Miami Office assisted two other field offices by carrying out lead type investigations and making arrests involved drug smuggling into the U.S. Penitentiary in Terre Haute, Ind. A court authorized wiretap established that drugs in this operation were being obtained in the Miami area. The FBI in Miami, through telephone record checks, identified four local residents involved in this case and arrested them last week

Mr. Chairman, the drug problem is one which is national is scope. The FBI throughout the U.S. is doing its best to combat it. Hence, we in South Florida must do everything reasonably necessary to assist FBI efforts nationally. In this regard, I should point out that the Miami FBI currently has many cases in which it is conducting investigations for other field offices. In addition, since the advent of the Organized Crime Drug Enforcement Task Forces in other cities, we in Miami have, thus far, handled almost 100 cases generated by the Task Forces. Perhaps the impact of this increased activity can be appreciated by my citing one simple statistic. From January to July, 1982, this office conducted 9,646 record checks and resultant investigations. A large portion of these checks were requested by other field offices. For the same period in 1983, we conducted 17,635 checks. Each month, as the Task Forces become operational and drug investigations increase in other parts of the country, we in Miami can expect more cases to investigate, more arrests to be made, and consequently, a greater demand on our resources.

As you can see, Mr. Chairman, the Miami Office of the FBI has made a substantial commitment to the drug effort. Since the Miami Office became involved in narcotics investigations, we have indicted over 190 major drug traffickers. We have also seized over $75 million in dangerous drugs, $80 million in cocaine, and marijuana valued in excess of $30 million. These amounts represent wholesale values. Further, the FBI seized over $18 million in assets and property.

The FBI is now in a position to devote substantial resources to drug violations. However, neither the FBI nor any other law enforcement entity, acting alone, can hope to resolve or even abate narcotics trafficking. Rather, it is imperative that law enforcement at all levels of government coordinate their efforts in this war.

At the Federal lavel, the FBI will continue to offer its support and resources to the DEA in the expectation that the skills and resources of both agencies will be used in a way that will maximize our impact on the illegal drug trade. In Miami the FBI and DEA are now working twelve major joint investigations. Further, we are in constant contact with DEA regarding cases the FBI is independently working. We want to make sure that our efforts are not being duplicated.

The FBI in Miami also maintains close liaison with components of the Vice President's South Florida Narcotics Task Force and the National Norcotics Border Interdiction System (NNBIS). As you know, Mr. Chairman, FBI investigations are not specifically directed toward the interdiction of drugs, this being primary responsibility of the U.S. Customs Service and the Coast Guard. However, we continue to disseminate to other agencies on a daily basis drug related information. One area we have had excellent success in has involved the dissemination of information provided to us by FBI informants. Since January, 1982, such information disseminated to other Federal agencies has resulted in the identification of 193 drug subjects, 80 arrests and the seizure of over $38 million in drugs. Similarly, information provided to local agencies resulted in the identification of 51 subjects, 29 arrests and seizures of nearly $35 million in narcotics.

In July, 1983, the Miami FBI Office took an even more active role in participating in the Federal drug effort. Two FBI agents were assigned to NNBIS on a full-time basis to carry out liaison functions. Thus far, the FBI has disseminated over 45 items of information of an interdiction nature to NNBIS. As a result, substantial amounts of marijuana have been interdicted and seized. This is an initial effort, and we expect to refine and augment the intelligence data being supplied to NNBIS.

As you can surmise, Mr. Chairman, despite its commitment of resources to other vital priorities such as organized crime, white collar crime, foreign counterintelligence, political corruption and terrorism, the FBI, particularly in South Florida, has established a very credible and aggressive record in the Federal drug effort. Being a realist, however, I must confess that the combined efforts of Federal, state and local law enforcement agencies are not the total solution to the drug problem. Besides the law enforcement efforts in the U.S., it is important that we eliminate the cultivation and supply of drugs from source countries. There are just too many thousands and thousands of miles of territory that cannot be monitored to interdict drugs completely. By the same token drug cartels and other organized criminal enterprises are vast and have almost unlimited resources. Another very important solution to the drug problem lies in the education of our population against the use of drugs thereby reducing the demand for drugs. I firmly believe that without an aggressive program in this area, we will never see a real hope for lasting success.

I am now prepared to answer any questions which you may have.

To: U.S. House of Representatives, Select Committee on Narcotics Abuse and Control.

From: John H. Jamason, Chief of Police, West Palm Beach, Fla.

Subject: A statement on Narcotics Abuse and Control

IMPACT OF THE NARCOTICS CONSPIRACY ON LOCAL LAW ENFORCEMENT

I. Historical parallels involving smuggling conspiracies are almost identical to experiences of the 1930's during Prohibition.

A. Public sentiment is similar to that expressed during prohibition:

1. Glamour, Adventure, and Monetary Reward make otherwise honest individuals consider involvement.

2. Arrest or conviction for drug trafficking does not socially brand individual as criminal. He or she is not ostracized by associates, friends or families. As in the illicit liquor business of the 1930's, many of the smuggling suspects include family members in their illegal operations.

a. Everglades City—25 percent of entire town involved.

b. Not uncommon to see Mothers, Fathers, even Grandparents assisting in furtherance of the conspiracy.

B. Accessibility to huge amounts of currency:

1. As in the days of prohibition, the availability of huge amounts of cash makes the payoff easy to accomplish.

2. Low public service salaries due to strained municipal budgets makes public servants easy targets for bribery.

II. Traditional Police Services are being cut back due to increase demand for service.

A. Drug trafficking creates associated criminal conduct that demands an immediate police response.

1. Homicide: West Palm Beach has experienced six homicides that are directly related to Drug Dealing/Three other homicides involved either known drug dealers or the situation at the murder scene suggested the involvement of narcotics in some manner. The homicide total up until 7 October 1983 is Nineteen.

2. Robbery: Out of 465 reported street robberies 45 have been determined to have originated by a drug deal. Many robberies are also committed by person to obtain money to buy drugs. Also many of the cases go unreported.

3. Assaults: Approximately 15 percent of the reported assaults in the city are as a result of a dispute over narcotics or committed by a person who has been using narcotics.

4. Burglary and larceny—Many burglaries and larcenies are committed by persons seeking money to buy drugs.

III. Duplication of service by Municipal, County, State and Federal Agencies.

A. There is very keen competition among law enforcement particularly relating to drug investigations.

1. Agencies are reluctant to share information because they want to be the agency to make the case.

2. Agencies want to justify their existence to their superiors.

3. Politicians push their subordinates to make cases, seizures and arrests in an effort to bolster their images, particularly at election time.

B. Parallel case investigations.

1. On many occassions, two or more law enforcement agents are investigating the same suspect or organization.

2. Federal agents may be looking at suspect for smuggling operation while local and state agents are investigating a trafficking conspiracy.

IV. Need for innovative investigative methods.

A. Creation of investigative task forces to include Federal, State, County and local Law Enforcement Officers.

B. Funding of special investigations by Federal Government with limited federal interference.

C. Updating Federal Seizure Statutes in order that seizures of property relating to drug offenses can be handled more expeditiously.

D. Allowing Internal Revenue agents to seize large amounts of currency upon request of local police officials if probable cause exists to believe the possessor of such currency has come into possession of the currency by illegal means.

V. Streamline court system/Narcotic cases have overwhelmed present system.

A. Limit appeals.

B. Require offenders to be tried within six months of arrest.

C. Restructure bail bonding statutes.

VI. Initiation of National Campaign on Drug Abuse.

A. If you stop the demand, the supply will dry up also.

B. This is federal responsibility—Local and State Agencies should not be responsible to do this, because drug abuse is a problem of entire country.

To: U.S. House of Representatives Select Committee on Narcotics Abuse and Control

From: Ebenezer Kamakeelanilehua Paikai III, Chief of Police Mangonia Park, Florida

SUBJECT: A STATEMENT ON NARCOTICS ABUSE AND CONTROL

Good afternoon Mr. Chairman, Congressman Lewis and members of the Select Committee on Narcotics Abuse and Control. My name is Ebenezer Kamakeelanilehau Paikai III. I am the Police Chief of Mangonia Park in Palm Beach County, Florida.

I have been asked to address this Committee reference drug abuse and its affects on local police. Your Committee has also requested that I, not only, address the problems of drug abuse, but also suggest how the Congress and the Federal Government "as a whole" can best help State and local governments with the deadly menance of drug abuse.

Historically speaking, for years many of us, in general: the law enforcement profession in the State of Florida and in particular: the drug enforcement officers in south Florida, have felt like those to whom Mr. Ralph Salerno dedicated his book "Crime Confederation". In the dedication of his book Mr. Salerno refers to investigators of Organized Crime as: "To long have they been workers in a jungle, voices in the wilderness. Too long prophets without honor, even among their own. This book (his book) is an attempt to let their light shine in the darkness, in the hope that the darkness might comprehend it."

As a fifteen (15) year professional law enforcement officer and of which eight (8) years as a narcotics and dangerous drug investigator, there were periods of time where I, like my fellow narcotics and dangerous drugs investigators, felt as if we were: "workers in a jungle, voices in the wilderness . . . prophets without honor even among their (our) own."

In 1977, several Palm Beach County law enforcement agencies adopted the concept of a Multiple Agency Narcotics Unit (M.A.N. Unit). The unit was and continues to operate under the first two (2) years of operation, the unit while investigating trafficking/smuggling activities seized and confiscated in excess of 180,000 pounds of marijuana; fifty-one (51) vehicles; eleven (11) airplanes (of which ten (10) had crash landed in western Palm Beach County area); and over one quarter of a million dollars in cash. As the M.A.N. unit continued to do battle with the growth of narcotics and dangerous drugs, trafficking and smuggling activities continued to grow. With the growth of trafficking and smuggling activities, which was not limited to corruption and murders, the problems of drug enforcement in the south Florida and Palm Beach County areas became a national issue and assistance in enforcement finally came from the Federal Government Task Force.

Limited local resources; a bad economy and a sense of public apathy about law enforcement activities have greatly diminished the role of the Palm Beach County M.A.N. Unit. The general publics attitude of denial and/or apathy continues to be a primary concern for those involved in the enforcement of narcotics and dangerous drugs.

As stated in Mr. Salerno's dedication:

> "an attempt to let their light shine in the darkness in a hope that the darkness might comprehend.",

the "light" has in the form of your Committee finally come to comprehend the problem.

Your Committee and the Federal Task Force, presently operating out of the Miami area, has helped local agencies, like the Palm Beach County M.A.N. Unit, to concentrate on drug offenses within its own backyard(s). For some in law enforcement and the general public, the Federal Task Force activities are "too little—too late". For those like myself, the Federal Task Force represents the call and the answer for re-enforcements. The same task force has given many of us, who remain stalwarts against the deadly drug menace, a chance to regroup and change directions. The change of directions have caused many of us (in law enforcement) to look within our communities in order to prepare ourselves and our communities to do battle with the enemy-drug abuse.

The Chemical People Program, of which I am a supporter, has taken the fight against drug abuse to the people. We who support the program realize that battle will not be an easy one, but we will, as in the past, do our best. The Chemical People Program is an outreach community action project, organized in a task force concept with its goal of using community power to stop and rid our communities of the problems of drug abuse. Experts from all "walks of life" in our communities have joined together to convince the general public that drug abuse is not only a government or a police problem, but in fact a community problem. As a community problem, drug abuse should be confronted by that community.

This, your Committee, the Congress and the Federal Government as a whole can best help the State of Florida and local governments by:

1. Continue to bring political pressures on foreign governments to stop the illicet trafficking/smuggling of dangerous drugs.
2. Continue to bring criminal sanctions upon those who traffic and smuggle dangerous drugs into this State and country.
3. Support, either financially or through other resources, the concept of a county and State M.A.N. unit which can also serve as a "clearing house" for projects like The Chemical People Program.

Many local communities like the one I represent—The Town of Mangonia Park—just cannot afford to do battle against the drug abuse problem without your assistance and the corporation of other communities.

In closing may I say something in my native language:

Mamake Au Ia Oe I Ka Hana Pono Mau Me Kau Komike.
I wish you continued success with your committee.
Mahalo A Nui Loa No Kou Hoolohe Ana.
Thank you very much for listening.
E Hoopomaikai Ke Akua Ia Oe.
God Bless you.

MARTIN COUNTY SHERIFF'S DEPARTMENT
JAMES D. HOLT, SHERIFF
P.O. BOX 87
STUART, FLORIDA 33495-9965
305-283-1300

REPORT TO THE UNITED STATES HOUSE OF REPRESENTATIVES SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

FOR THE

WEST PALM BEACH, HEARINGS
OCTOBER 12th, 1983

Submitted by:
JAMES D. HOLT
SHERIFF
Martin County, Florida

INTRODUCTION

Drug abuse and the drug trafficking problem is an enormous industry with great impact upon many different facets of our society. The drug problem can be seen in all levels of society from its influence upon government, schools, private citizens, and our children. The economic impact of drug smuggling and drug abuse is probably of a greater size than anyone can ever imagine. This report will be broken into sections regarding drug trafficking and its impact on the community, drug abuse and its impact on the community, and law enforcement problems in drug investigations.

DRUG TRAFFICKING AND ITS IMPACT ON THE COMMUNITY

Drug trafficking itself has been shown to have a major impact on the local sector of the community in many different ways. Problems created by drug trafficking influence the government sector, law enforcement, and the private sector. Part of the major impact created by drug trafficking within a community is based upon the economic impact that occurred with the influx of illegal funds into a community. These funds flow into a community in many ways. Funding created by drug trafficking either directly or indirectly has severely affected the local economy.

In the private sector, the money created through narcotics trafficking affects every individual residing in the local areas. The drug trafficker with the monetary resources available to him affects real estate prices, the agricultural industry, the banking industry, the fishing industry, and numerous other related industries including the marine industry, automobile dealerships, radio shops, gun stores, jewelers, and other industries too numerous to mention. For example, this department has investigated offenses that have occurred on cattle ranches in this area where a normal hard-working ranch foreman is suddenly corrupted by an individual who will come to him and offer $5,000.00 in cash for him just not to be on the property for an afternoon. This amount of money has taken a normal hard-working, honest citizen and made him into a criminal. The ranch foreman did not have to be an active participant in the offense. All that was required of him was to be gone while the drug smugglers brought in over 240 pounds of cocaine. This particular occurrence happened not once but twice. The money temptation in this type of circumstance is a very easy thing to understand. In this particular case in less than two months for two Sunday afternoons of having no involvement whatsoever, except to not be at this particular location, this ranch foreman received what would probably be equivalent to thirty to fifty percent of his yearly salary. This type of occurrence also shows a property involvement of the ranch where it is highly possible that the property could be seized under either State or Federal racketeering statutes because of the two predicate crimes and pattern of racketeering activities. The South Florida area is a loser in this instance not only due to the financial involvement and corruption of a previously innocent citizen but also through the 480 plus pounds of 98 percent pure cocaine that was imported, which would directly affect the community through its distribution and usage.

Another major economic factor in this area is the enormous impact upon the commercial fishing industry. A commercial fisherman, as many have, can make through the use of his boat to transport illegal narcotics into this area more than a month's salary in a night's work. Many fishermen who previously were hard-working, productive citizens now only fish on a part-time basis. These same fishermen can be seen living in expensive homes, driving expensive cars, carrying enormous sums of cash money and literally wearing thousands of dollars worth of gold jewelry. All such items are things that were previously unattainable to these fishermen. While they are engaging in this industry of narcotics importation, they of course, are not engaging in their normal occupation of fishing. They are, however, contributing to a continuing problem of an illegal activity that upon detection and arrest may cause the loss of their homes, vehicles, boats, money and personal freedom. This, of course, also has a great effect on the well-being of each particular family. On numerous occasions in the past, contacts have been made with these individuals whereby they, due to the nature of their illegal activities, the amount of money that is being circulated, and the personal risk involved, basically separate themselves from their family, from their friends and from their community involvement due to a fear of what they are becoming involved with.

One of the most impacted industries in South Florida is naturally the real estate industry. Waterfront properties and ranch areas and undeveloped portions of the community where airstrips or airdrop sites may be located have achieved unheard of values. The fact that a narcotics trafficker looking for a particular location that is advantageous to him in order to bring his illegal narcotics into this area is totally unconcerned with price, has created a very inflated real estate market. The narcotics trafficker will not argue about price of land or a residence if he feels that it is a useable spot for his trafficking needs. The waterfront home has increased tremendously in value if it is an area where a boat or boats may be brought in. A waterfront property that formerly was available with a nice residence on it in the $100,000.00 dollar price range, has in many instances at least tripled in value. A narcotics trafficker looking for this type of location will pay any amount of money for it with no questions asked, generally in cash, with no mortgage. At that time expensive modifications will also be made to the residence, usually including an elaborate alarm system, security fencing and an isolation of the residence from any surrounding property in order to disguise the illegal activities. Raw acreage tracts have immensely increased in price for the same reason as they can be used as drop zones or landing strips for the purpose of smuggling narcotics. In real estate, not only the purchase price of waterfront or remote residences or property has increased but also the rental price has increased in a corresponding amount because a narcotics trafficker will pay enormous amounts of money just to obtain access to a particular piece of property for a short period of time.

Another effect of the narcotics trafficking industry is upon the banking industry. The banking industry, of course, has been subjected to large-scale Federal investigation such as Operation Greenback and the Bancoshares Investigation of money laundering in the South Florida area. The banking industry, however, has also been affected by a certain loss of mortgage interest revenue due to the cash purchase of residences and also by a certain tarnished image through the indictment of bank officials for money laundering schemes. Of course the banking industry has also shown a large increase in cash flow transactions through deposits of large quantities of currency by the narcotics traffickers. The banking industry also is inconvenienced through a time consuming process of investigation by local and Federal agencies requiring their research, duplication and dissemination of bank records subpoenaed pursuant to narcotics investigations conducted by those agencies. This factor alone is costly to the individual banks.

Other local industries affected are the marine industry through sales of boats and motors; the aircraft industry through sales of aircraft; communications industries through the sales of sophisticated and expensive communication and surveillance equipment. This equipment, naturally, is paid for in full, in cash, by these narcotics traffickers. It is quite obvious that in normal situations many of these individuals, who previously had nothing, suddenly have more money and more personal property and real estate than they had ever dreamed of previously owning. This can be directly attributed to their involvement in narcotics trafficking. A large number of individuals, who before the narcotics trafficking industry became a big business, who previously were honest, hardworking members of the community, through the pure greed and temptation by the relatively large sums of easy money that can be found in the narcotics industry, have let themselves be corrupted and influenced due to the drug trafficking that is currently one of the largest, if not the largest industry in South Florida.

Another problem with narcotics trafficking and the ways it affects the community is not only in a monetary fashion, but also the fact that many of the distributors, importers and ground crews are also paid off in illegal narcotics. These find their way back into the local community and are distributed by the narcotics traffickers who actually handle the importation.

The narcotics traffickers do have one positive economic impact upon a local community, however. This is through the local and Federal application of the Contraband Forfeiture Act, which provides for a direct form of compensation to the law enforcement agencies as a result of seizures of monies, vehicles, vessels, aircraft, radio equipment and under the racketeering statutes, even real property. All of these eventually will benefit the financial coffers of the law enforcement agencies.

IMPACT OF DRUG ABUSE ON THE COMMUNITY

Drug abuse is one of the major problems facing not only the South Florida communities but the United States and most of the world as well. Drug abuse itself has spread throughout American culture, in all age brackets, all social and ecomonic levels. Current estimates of the monetary value involved in the illicit drug market exceed one hundred billion dollars anually. Another problem facing law enforcement due to the drug abuse in the United States is the enormous variety of narcotics. Currently legitimate controlled substances that are available by prescription come in thousands of types, colors and sizes. This is also in addition to the illicit drugs, including cannabis, hashish, cocaine, heroin, L.S.D., P.C.P., and numerous other types. One of the principally abused drugs naturally is marijuana, and marijuana abuse is probably one of the most prevalent problems facing society.

Marijuana in itself is a fat soluble narcotic due to the tetrahydrocannabinol (T.H.C.) that is contained in marijuana as only one of the over 435 chemical compounds found in marijuana. T.H.C. is believed to be the most active ingredient with the most effects on the human physiology of any other substance contained in marijuana. Marijuana itself is a very complex drug that effects different people in different ways. Marijuana does cause a lack of motivation, diminished attention span and will also cause loss of short term memory. As is well known to everyone, the major impact of the marijuana abuse upon the local community is highly prevalent in the school system. This does effect the learning capabilities and attention spans of the coming generations of millions of Americans. This particular effect on the community is probably one of the most unfortunate side effects of drug abuse, and it will cause problems for years to come in many ways.

Recreational drug abuse has invaded all walks of life and part of the currently prevalent problem is because of the increased usage of cocaine. Cocaine abuse, with its physically damaging aspects and increased cause of death by overdose, is a more and more dangerous factor to the community as each day passes. Cocaine also has an enormous ecomonic impact due to its high cost, both on the wholesale level and to the ultimate consumer. Monies that could be much better used to provide housing for an individual or food for his or her family can be wasted in a matter of a few minutes supporting a recreational dose of cocaine.

Other drugs involving stimulants, depressants, hallucinogens and hard narcotics also have disastrous impact upon the community. This impact is not only in terms of the money spent but the physical damage that is caused to the individual drug abuser.

Another factor that may be considered through drug abuse is its impact upon the overall crime rate. It has become apparent that a large quantity of crimes are caused either by drug abusers who are under the influence of an illegal substance at the time of the offense, or are stealing property that may be sold to obtain money in order to purchase narcotics. A large number of burglaries and thefts can be directly attributed to their use solely as financial source for the acquisition of drugs. The violent crime, particularly the increase in aggravated batteries, and even drug related homicides can be shown to exist in today's society. A large percentage of local narcotics distributors and abusers have been found to be in possession of sophisticated weaponry that is used for the purpose of drug related thefts, assaults on other drug dealers and users, protection from dissatisfied customers and protection from law enforcement.

If the drug abuse trend could be reversed or even eliminated, it more than likely would cause an immediately visible decrease in almost all types of crime categories.

LAW ENFORCEMENT PROBLEMS IN DRUG INVESTIGATIONS

Law enforcement is fighting what can be termed a major battle in the war on drugs. Law enforcement agencies have been hampered in their enforcement problems due to inadequate funding available, inadequate personnel in both qualifications and numbers available and a general lack of trust and cooperation between law enforcement agencies. Another factor is the influence of narcotics offenses on the Court system and the resulting overload of court dockets. Some law enforcement agencies are very cooperative with other law enforcement agencies in regard to the drug problem. Other law enforcement agencies, due to corruption present within those agencies or a general air of mistrust of any other law enforcement agency, which may be caused by a certain amount of jealousy, do hinder law enforcement efforts through their lack of cooperation with other agencies. Sometimes the information exchange that is available on the narcotics problem is only existing between agencies due to personal contacts with other agencies due to friendships among the members of the respective law enforcement agencies. The narcotics trafficking can actually be termed as big business. They are very well funded and have sophisticated equipment that in a lot of circumstances is unavailable to law enforcement because of the high expense of the sophisticated equipment, such as surveillance equipment, scrambled radio equipment, specialized weaponry and specialized vehicles, such as all terrain vehicles, four wheel drive vehicles, high speed pursuit boats and aircraft that are necessary in order to combat narcotics trafficking. A large amount of this is due to the economic climate that is not receptive to increases in funding for law enforcement, due to taxes and other sources of revenue in order to equip law enforcement agencies with the proper tools to not only engage in narcotics enforcement, but in all other aspects of law enforcement. Some law enforcement agencies, with our own Department included, are only able to keep pace with the narcotics traffickers in equipment through the seizures of equipment from narcotics traffickers that either can be used directly against them or can be sold or exchanged for other specialized law enforcement equipment. The problem with information exchange between agencies, of course, is related directly to a lack of trust between agencies due to no confidence because of corruption of some law enforcement officials or a certain amount of jealousy between agencies, particularly since forfeitures of equipment is available to law enforcement. Some agencies become extremely jealous over a forfeiture of an aircraft or boat or other item and do not wish to share in the proceeds with another agency that may cooperate with them in that factor. Law enforcement agencies become hindered in their efforts because of other agencies who will operate within the jurisdiction of another agency without informing that agency of their activities. This, in a lot of cases, results in a duplication of investigations and direct conflicts with one agency not knowing what the other agency is doing within its jurisdiction.

Court dockets have felt the influx of narcotics crime with disastrous effects. In our own relatively small County, an increase in drug cases can be seen from 1980 to the present.

Arraignments have risen steadily from 21% drug cases in 1980 to 28% for 1983 to date. The sentencing docket has shown a similar increase from 18% in 1980 to 30% in 1983 to date. This factor is not only felt in the Court, but also is evident in the prison system overcrowding as well. Even stiffer mandatory fines and sentences than now exist may help in acting as a deterrent against narcotics trafficking if uniformly applied.

In order to create a more positive effect on the narcotics investigation and apprehension situation, certain ideas should be implemented as rapidly as possible in order to achieve a goal of putting a major dent in the narcotics trafficking industry. One of the most vital aspects that can be accomplished is an elimination of the lack of communication between agencies by a policy of notification of other agencies who may have jurisdiction in the offense. We have noticed a problem in this area due to a lack of common radio communications with other agencies. Also, other agencies, such as the United States Coast Guard or the United States Customs Service, through their surveillance in the territorial waters off of the southeastern coast, frequently will not notify a local agency of an approaching target vessel or aircraft until so late that it becomes almost impossible, if not totally impossible, for a local agency because of the late notification to be able to assist or effect any type of apprehension, as there is insufficient time to become properly situated.

Another problem with the lack of agency cooperation is that when one agency operates in another agency's jurisdiction, there is often a lack of knowledge of the area. When this occurs and the other agency calls in the local agency for assistance, it is very difficult to direct the local agency to a proper position to assist, since the other agency is so totally unfamiliar with where they are.

Another factor is that the efforts of the United States Government in order to help combat the narcotics problem through the use of military, has basically been shown to be, at this time, of little or no benefit at all to local law enforcement agencies. There is still a certain amount of secrecy and lack of exchange of information that is required due to Federal guidelines and regulations on the use of the military that could possibly be changed through either Executive or Congressional orders to permit more cooperation. The military has much more sophisticated equipment available to it than any local law enforcement agency has the capability of obtaining. Possibly a program where some of the equipment related to sophisticated communications and detection equipment, such as radar units, and multi-channel radio equipment could be loaned to local agencies and that would be advantageous in order to combat the drug trafficking problem.

Another possible solution to the narcotics problem for law enforcement may include legislation to expand the jurisdictional capabilities of law enforcement officers so that they would have authority in the areas adjacent to their immediate jurisdiction. If a cooperative effort can be introduced between Federal, State and Local agencies on an enhanced and expanded basis, the war against narcotic use and trafficking may be a little easier to wage and win.

EXPLANATION OF APPENDICES

Appendix A will be Martin County Circuit Court cases listed by arraignments and sentencing for 1980, 1981, 1982 and 1983 up to October 5, 1983, broken down into drug cases and non-drug cases. This figure shows a general increase from year to year in the amount of arraignments in drug cases and non-drug cases.

Appendix B is a list of percentage of change in arraignments for drug cases and non-drug cases 1980 through 1983. Also shown are drug cases as a percentage of total arraignments showing an increase of 21 percent in 1980 to 28 percent so far for 1983.

Appendix C shows the percentage change in sentencing for drug cases and non-drug cases 1980 through 1983 with drug caes showing an increase each year that is much greater than the increase for non-drug cases for the number of sentencings. Also shown is the drug cases as a percentage of total sentencing, which shows 1980 to be 18 percent and so far for 1983 for drug cases to be 30 percent of the total sentencing in Circuit Court, Martin County, Florida.

Appendix D is the sentencing percentage of total arraignments showing an increase for drug cases of 45 percent in 1980 to 80 percent for 1983 so far, with non-drug cases ranging from 56 percent in 1980 increasing to 72 percent in 1983.

Appendix E is the Martin County Sheriff's Department major narcotics cases, 1980 through 1983 breakdown. Appendix E does show a decline in major cases from 1980 with a peak of 17 cases, dropping dramatically in 1981 and 1982, however, increasing again in 1983 with 14 cases so far this year. Arrests dropped from a high of 39 in 1980, to a low of 28 in 1981 and has steadily increased and is currently at 57 for 1983. Seizures of vehicles, boats and aircraft also has shown a change with a steady increase being shown in vehicles and boats and a fluctuating figure being shown in aircraft.

Appendix F is a major case listing of the Martin County Sheriff's Department Major Narcotics Cases from 1980 through October 5, 1983. These cases shown only represent a small portion of the involvement in this one area of Southern Florida, with the first major case being investigated in 1975 and continuing through the present.

Appendix G is a list of forfeitures filed from January 1, 1981 through September 14, 1983 for forfeitures of aircraft, automobiles, boats, cash, motorcycles, trailers, and trucks involved in narcotics violations. These items have been exchanged for other specialized equipment retained for use, turned over to other governmental agencies or sold at auction. The cash value of the item at time of seizure, not the actual value realized.

APPENDIX A

MARTIN COUNTY CIRCUIT COURT CASES

	ARRAIGNMENTS		SENTENCING	
YEAR	DRUG	NON-DRUG	DRUG	NON-DRUG
1980	59	217	27	122
1981	83	195	39	130
1982	99	283	61	148
1983*	86	219	69	158
TOTAL	327	914	196	558

* 1983- Through October 5, 1983 (Incomplete year)

APPENDIX B

ARRAIGNMENT PERCENTAGE CHANGE

1980-1981	DRUG CASES	41% INCREASE
1981-1982	DRUG CASES	19% INCREASE
1982-1983*	DRUG CASES	15% DECREASE

1980-1981	NON-DRUG	11% DECREASE
1981-1982	NON-DRUG	45% INCREASE
1982-1983*	NON-DRUG	29% DECREASE

DRUG CASES AS PERCENTAGE OF TOTAL ARRAIGNMENT

1980	21%
1981	30%
1982	26%
1983*	28%

* 1983-Through October 5, 1983 (Incomplete year)

APPENDIX C

SENTENCING PERCENTAGE CHANGE

1980-1981	DRUG CASES	44% INCREASE
1981-1982	DRUG CASES	56% INCREASE
1982-1983*	DRUG CASES	13% INCREASE
1980-1981	NON-DRUG	7% INCREASE
1981-1982	NON-DRUG	14% INCREASE
1982-1983*	NON-DRUG	8% INCREASE

DRUG CASES AS PERCENTAGE OF TOTAL SENTENCING

1980	18%
1981	23%
1982	29%
1983*	30%

*1983-Through October 5, 1983 (Incomplete year)

APPENDIX D

SENTENCING AS PERCENTAGE OF ARRAIGNMENTS

	DRUG CASES	NON-DRUG CASES
1980	45%	56%
1981	47%	67%
1982	62%	52%
1983*	80%	72%

*1983-Through October 5, 1983 (Incomplete year)

APPENDIX E

MARTIN COUNTY SHERIFF'S DEPARTMENT

MAJOR NARCOTICS CASES 1980-1983

			SEIZURES		
YEAR	CASES	ARRESTS	VEHICLES	BOATS	AIRCRAFT
1980	17	39	7	3	8
1981	8	28	7	6	1
1982	9	31	10	6	4
1983*	14	57	16	9	1
TOTAL	48	155	40	24	14

PERCENTAGE CHANGE

80-81	53%-	39%-	0%	200%	88%-
81-82	13%	11%	43%	0%	400%
82-83*	56%	84%	60%	150%	75%-

*1983 Through October 5, 1983 (Incomplete year)

MARTIN COUNTY SHERIFF'S DEPARTMENT - MAJOR NARCOTICS INVESTIGATIONS

DATE:	CASE NO.	AMOUNT	ARRESTS	SEIZURES	LOCATION	AGENCIES	CASH AMOUNT
10/05/83	83-24684	600 lbs marij.	3	1 vehicle	Jupiter, FL	MCSD,DEA	$1,080,000.00
09/28/83	83-24062	300 lbs marij.	1	None	Indiantown,FL	MCSD	$90,000.00
09/15/83	83-22879	1 lbs. cocaine	2	2 vehicles	Jupiter, FL	MCSD, JIPD, DEA	$35,000.00
07/24/83	83-18309	118 gms cocaine	2	2 vehicles	Jensen Beach, FL	MCSD, IRSD	$11,800.00
07/22/83	83-18145	75 lbs marij.	0	None	Palm City, FL	MCSD	$22,500.00
07/07/83	83-16930	Marij. residue	5	1 boat,1 car,1 truck	Hobe Sound, FL	MCSD	None
07/04/83	83-16580	10,644 lbs marij.	11	3 boats, 2 cars 1 truck,1 motorcycle	Sewell's Point	MCSD,FMP,DEA	$3,200,000.00
06/30/83	83-16195	Marij. residue	2	Sailboat	Pt. Salerno,FL	MCSD	None
06/25/83	83-15750	2 lbs. marij.	5	$21,000.00	Stuart, FL	MCSD	$700.00
06/20/83	83-15329	2200 lbs marij.	3	2 vehicles	Jupiter Island	MCSD, JIPD	$660,000.00
04/07/83	83-8406	1000 lbs marij.	15	3 boats, 2 vehicles	Palm City, FL	MCSD,DEA,So.Carolina	$300,000.00
03/03/83	83-5273	337 lbs cocaine	3	1 aircraft	Stuart Airport	MCSD, DEA	$16,800,000.00+
01/27/83	83-2176	536 lbs marij.	3	1 boat	Palm City,FL	MCSD	$159,800.00
01/27/83	83-2150	340 lbs marij.	2	1 boat, 1 trailer	Stuart, FL	MCSD	$102,000.00
						TOTAL FOR 1983	$22,461,800.00
12/10/82	82-29047	980 lbs marij.	6	2 aircrafts, 2 vehicles	Jupiter, FL	MCSD, JIPD, DEA	$1,000,000.00
09/18/82	82-22016	10,000 lbs Marijuana	5	2 boats	St. Lucie Inlet	MCSD, FMP, DEA	$3,000,000.00
08/15/82	82-19318	300 lbs marij.	1	1 aircraft, 2 vehicles	Jupiter, FL	MCSD, Customs, DEA	$90,000.00
05/09/82	82-10899	300 lbs marij.	0	None	Jupiter, FL	MCSD, Customs	$90,000.00
04/13/82	82-8635	30 lbs marij.	6	1 boat, 1 vehicle	Pt. Salerno, FL	MCSD, Customs	$9,000.00
04/10/82	82-8364	Altered HIN	1	1 boat, 1 vehicle	Pt. Salerno, FL	MCSD, Customs	None
02/06/82	82-2983	240 lbs marij.	5	1 aircraft, 3 vehicles	Port Mayaca, FL	MCSD	$72,000.00

MARTIN COUNTY SHERIFF'S DEPARTMENT - MAJOR NARCOTICS INVESTIGATIONS PAGE-2

DATE:	CASE NO.	AMOUNT	ARRESTS	SEIZURES	LOCATION	AGENCIES	CASH AMOUNT
02/03/82	82-2763	Marij. residue	2	1 boat	Pt. Salerno, FL	MCSD, FMP	None
01/17/82	82-1391	2010 lbs marij.	5	1 boat, 1 trailer	Jupiter, FL	MCSD, DEA	$600,000.00
						TOTAL FOR 1982	$4,861,000.00
09/27/81	81-21971	1200 lbs marij.	5	1 boat, 1 trailer	St. Lucie Inlet	MCSD	$360,000.00
05/27/81	81-12530	Marij. residue	0	1 aircraft	Cayman Farms	MCSD	None
05/19/81	81-11848	Marij. residue	4	2 boats	St. Lucie Inlet	MCSD, Customs	None
05/01/81	81-10094	200 lbs marij.	3	None	Jupiter, FL	MCSD	$50,000.00
04/23/81	81-9418	Marij. residue	3	1 shrimp boat	Pt. Mayaca, FL	MCSD, Customs, DEA	None
04/01/81	81-7573	99 lbs marij.	2	None	Jensen Beach, FL	MCSD	$30,000.00
03/01/81	81-5021	242 lbs cocaine	6	4 vehicles	Hobe Sound, FL	MCSD, DEA	$7,260,000.00+
02/12/81	81-3482	327 lbs marij.	5	2 boats, 2 vehicles	Stuart, FL	MCSD, DEA	$90,000.00
						TOTAL FOR 1981	$7,790,000.00
12/24/80	80-27538	334 lbs marij. 160 lbs Q. powder 390 lbs qualudes	2	2 vehicles	Hobe Sound, FL	MCSD	$2,700,000.00
12/18/80	80-27107	409 lbs marij.	3	1 van	Hobe Sound, FL	MCSD, Customs, BSD	$120,000.00
10/01/80	80-21108	633 lbs marij.	2	1 aircraft	Stuart Airport	MCSD	$190,000.00
08/02/80	80-16702	Marij. residue	0	1 aircraft	Indiantown, FL	MCSD	None
06/12/80	80-12678	570 lbs marij. 266 lbs qualudes	2	1 aircraft	Stuart Airport	MCSD	$366,000.00
06/09/80	80-12426	268 lbs marij.	1	1 boat	Palm City, FL	MCSD	$80,400.00
06/09/80	80-12424	687 lbs marij.	1	1 boat	Pt. Salerno, FL	MCSD	$206,000.00
04/01/80	80-7062	88 lbs marij.	2	1 boat, 1 van	Pt. Salerno, FL	MCSD, FMP, DEA	$26,400.00
03/22/80	80-6226	1450 lbs marij.	1	1 aircraft	Stuart Airport	MCSD, Customs, DEA	$435,000.00
03/08/80	80-5105	614 lbs marij.	2	1 aircraft	Stuart Airport	MCSD, DEA	$193,000.00

MARTIN COUNTY SHERIFF'S DEPARTMENT - MAJOR NARCOTICS INVESTIGATIONS PAGE 3

DATE:	CASE NO.	AMOUNT	ARRESTS	SEIZURES	LOCATION	AGENCIES	CASH AMOUNT
03/06/80	80-4941	Marij. residue	0	1 aircraft	Indiantown, FL	MCSD, FDLE, DEA	
03/04/80	Task Force	Assorted pills, cocaine, marij.	14	None	Martin Co. Area	MCSD, DEA, FDLE, SA, SPD	$16,500.00
02/20/80	80-3727	500 lbs marij.	0	None	Palm City, FL	MCSD, FDLE, SA	$150,000.00
02/10/80	80-3052	800 lbs marij.	3	1 aircraft, 1 vehicle	Palm City, FL	MCSD	$240,800.00
01/23/80	80-1775	3 lbs. cocaine	2	1 vehicle	Stuart, FL	MCSD, FDLE, SA, SPD	$100,000.00
01/16/80	80-1211	671 lbs marij.	2	1 aircraft	Stuart Airport	MCSD	$201,300.00
01/12/80	80-802	1460 lbs marij.	2	1 van	Stuart, FL	MCSD	$438,000.00
						TOTAL FOR 1980	$5,463,400.00

GRAND TOTAL JANUARY 1980 to OCTOBER 5th, 1983

ARRESTS	CASES	CASH AMOUNT
155	48	$40,576,200.00

APPENDIX G

SEIZURE REPORT

DATE	CASE #	ITEM	MANUFACTURER	VALUE
060783	82-19318	Aircraft	Aero Command	20000.00
081582	82-19318	Aircraft	Aero Command	45000.00
020682	82-2983	Aircraft	Beech	45000.00
121082	82-29047	Aircraft	Beech	60000.00
052781	81-12530	Aircraft	Cessna	50000.00
121782	82-29047	Aircraft	Cessna	56000.00
030583	83-5273	Aircraft	Cessna	180000.00
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		7		456000.00
011782	82-1391	Automobile	AMC	10000.00
041283	83-8406	Automobile	BMW	14600.00
070483	83-16580	Automobile	Buick	9000.00
042682	82-8635	Automobile	Buick	16000.00
051882	82-2983	Automobile	Cadillac	3500.00
090882	82-19318	Automobile	Cadillac	8000.00
071782	82-16909	Automobile	Chevrolet	1581.00
121082	82-29047	Automobile	Chevrolet	5500.00
070483	83-16580	Automobile	Chevrolet	10000.00
111882	82-26550	Automobile	Chevrolet	10325.00
081482	82-18749	Automobile	Mercedes	1500.00
051182	82-2983	Automobile	Mercedes	2000.00
040982	82-8364	Automobile	Mercedes	40000.00
070783	83-16930	Automobile	Oldsmobile	4500.00
030182	81-5021	Automobile	Pontiac	1200.00
012783	83-2176	Automobile	Porsche	7775.00
081583	83-17006	Automobile	Toyota	7000.00
062582	82-14954	Automobile	Volkswagen	500.00
121882	82-29720	Automobile	Volvo	1600.00
051882	82-2983	Automobile	Volvo	3500.00
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		20		158081.00
092781	81-21971	Boat	Chris-Craft	3000.00
091282	82-21702	Boat	Cigarette	3000.00
041082	82-8364	Boat	Corsa	100000.00
070783	83-16930	Boat	Custom	16000.00
091781	81-21175	Boat	Excalibur	20000.00
050234	83-10687	Boat	Formula	2000.00
070483	83-16580	Boat	Gulfstar	65000.00
011782	82-1391	Boat	Gulfstream	25000.00
011782	82-1391	Boat	Gulfstream	25000.00
021281	81-3482	Boat	Hatteras	180000.00
063083	83-16195	Boat	Homemade	20000.00
041583	83-8406	Boat	Hydrasport	32000.00
070483	83-16580	Boat	Invader	1000.00
012783	83-2150	Boat	Mako	20000.00
070483	83-16580	Boat	MFG	500.00
070783	83-16895	Boat	Midnight Exp	20475.00
091882	82-22016	Boat	Midnight Exp	100000.00
091882	82-22016	Boat	Midnight Exp	125000.00

SEIZURE REPORT

DATE	CASE #	ITEM	MANUFACTURER	VALUE
020382	82-2763	Boat	Morgan	25000.00
022383	83-3605	Boat	Rampone	10000.00
051981	81-11850	Boat	Robalo	7500.00
012783	83-2176	Boat	SeeVee	20000.00
042381	81-9418	Boat	St. Aug. Tr.	500000.00
040683	83-8406	Boat	Wellcraft	15000.00
040683	83-8406	Boat	Wellcraft	15000.00
010382	82-210	Boat	White Swan	1500.00
		26		1351975.00
111882	82-26550	Cash	U.S.	1114.89
061882	82-14234	Cash	U.S.	1711.00
051183	83-11603	Cash	U.S.	1942.33
040783	83-8406	Cash	U.S.	3588.00
063083	83-16195	Cash	U.S.	3728.00
032483	83-7116	Cash	U.S.	5680.00
040683	83-8406	Cash	U.S.	10471.00
070483	83-16580	Cash	U.S.	14981.43
062583	83-15750	Cash	U.S.	21360.00
022583	83-4514	Cash	U.S.	42299.00
0201/03	83-2176	Cash	U.S.	66000.00
		11		172875.65
011682	82-210	Motorcycle	Kawasaki	1000.00
070483	83-16580	Motorcycle	Suzuki	5000.00
		2		6000.00
070483	83-16580	Trailer	Certified	500.00
070780	80-12424	Trailer	E-Z Loader	3000.00
070783	83-16930	Trailer	Float-On	1000.00
092781	81-21971	Trailer	Float-On	1500.00
011782	82-1391	Trailer	Float-on	2000.00
091781	81-21175	Trailer	Float-On	2000.00
051183	83-11396	Trailer	Float-On	2500.00
010382	82-210	Trailer	Gator	200.00
092482	82-1410	Trailer	Homemade	1300.00
010582	82-210	Trailer	Homemade	1500.00
051183	83-11396	Trailer	Rocket	1000.00
		11		16500.00
111182	82-26550	Truck	Chevrolet	4500.00
090182	82-19318	Truck	Chevrolet	6000.00
040783	83-8406	Truck	Chevrolet	6300.00
060982	82-13521	Truck	Chevrolet	10000.00
022583	83-4514	Truck	Chevrolet	16000.00
070780	80-12424	Truck	Dodge	800.00
092482	82-1410	Truck	Dodge	1975.00

SEIZURE REPORT

DATE	CASE #	ITEM	MANUFACTURER	VALUE
121082	82-29047	Truck	Dodge	6875.00
062379	79-11598	Truck	Ford	500.00
070783	83-16930	Truck	Ford	2000.00
060183	83-14370	Truck	Ford	2800.00
070483	83-16580	Truck	Ford	4100.00
042383	83-9885	Truck	Ford	4200.00
011782	82-1391	Truck	Ford	10000.00
092781	81-21971	Truck	GMC	1500.00
103081	81-24589	Truck	Jeep	3000.00
030181	81-5021	Truck	Toyota	12000.00
		17		92550.00
		94		2253981.65

Magnitude and Effects of Drug Trafficking and Abuse

BY MAJOR NICHOLAS G. NAVARRO, COMMANDING OFFICER, ORGANIZED CRIME DIVISION, BROWARD COUNTY SHERIFF'S OFFICE, FORT LAUDERDALE, FLA.

To give the Committee the proper perspective on the magnitude and effect of drug trafficking from our local point of view, I would like to make the following indications:

Since the Vice Presidential Task Force arrived here a little over a year ago, we have noticed a tremendous decline in marijuana trafficking in the South Florida area. Our statistics will prove that our Unit alone, in 1981, seized 69,611 pounds of marijuana. In 1982 we seized 43,057 pounds, and in the first nine months of 1983, we have seized just 5,529 pounds. This is a strong indicator that the amount of marijuana coming into the South Florida area has been contained to a large extent.

It has been brought to our attention that the price of marijuana has gone up. At the present time, $450 per pound of marijuana is being asked by traffickers, compared to approximately $250 to $300 a year ago. The price has almost doubled.

Methaqualone was extremely predominant here for some time. In 1981, we seized in excess of one million quaalude tablets. In 1982, we seized almost a million quaalude tablets, and right now the only case that was worked by this Unit of any magnitude during the last nine months was an airport profile case in which we seized approximately 88,000 quaaludes destined for another location in this country. Other seizures of quaaludes during the past nine months have been very minimal.

Since the new law went into effect in Florida, outlawing qualudes, they are not prescribed anywhere. There is no legitimate, use whether it be medical or otherwise, for methaqualone. Therefore, they are completely outlawed in the State of Florida. Some of the bootleg quaaludes found today are not even methaqualone. They are mostly Diazapam, which is Valium.

However, the other side of the coin shows that the drug of choice now, by smugglers and traffickers, is cocaine. Seizures of quantities of cocaine by this Unit have almost doubled compared to previous years. Looking at our statistics in 1981, we seized 133 pounds of cocaine. In 1982 we seized 117 pounds of cocaine. The first nine months of 1983, we have already made seizures of 166 pounds of cocaine. When I use the word "seizures", I am not referring to cocaine that is found on board a vessel or an aircraft. These are purchases that are made by our undercover agents of this drug that is being sold in the streets. It is very common now to be offered several kilograms of cocaine during a street corner purchase. This increase in cocaine trafficking, in my opinion, is very alarming.

The price of cocaine in 1982 was quoted by traffickers to be between $58,000 and $62,000 per kilogram. Today, undercover agents are finding that the prices quoted by traffickers range from $28,000 to $32,000 per kilogrm. This is an indicator that cocaine trafficking has increased tremendously. There is more cocaine now than we ever had before.

Intelligence information indicated that cocaine is stock-piled in areas of the Bahamas from where it is ferried into South Florida on a daily basis. These bargain prices offered by the traffickers are attempts to undercut each other.

The traffickers have changed their pattern significantly in the last year. Information received indicates that no longer do they bring in hundreds of kilograms of cocaine at one time since it is convenient to maintain quantities on the Bahama. Islands close to our shores. Twenty or twenty-five kilograms or cocaine are transported at a time in small vessels. Even if we encounter one or two of those vessels and the cocaine is seized, the entire load is not lost.

We have recently learned through confidential sources that cocaine is being transshipped through the Island of Jamaica. Information has also been received that for the last couple of years, coca plants have been growing in Colombia and those plants are now productive.

Intelligence and investigations lead us to believe that the new trend will be the smuggling of coca paste onto our shores. Two weeks ago, working a coordinated case with Metro Dade Police and the Drug Enforcement Administration, we encountered a cocaine refining laboratory in the southwest section on Broward County. Approximately 1,000 gallons of ether and other ingredients necessary for the refining of cocaine were found on the premises. This is an indicator that now clandestine laboratories, which at one time were restricted to Peru, Bolivia and later in Colombia, are a reality here in South Florida. It is estimated that 1,000 gallons of ether will refine approximately 250 pounds of cocaine. The conversion of cocaine paste to cocaine hydrochloride is one to one.

Another reason that coca paste will be extremely desirable to be smuggled is the fact that it can be brought in liquified and in other forms. Coca paste is not well recognized and can be brought in with hardly any detection.

It is my belief that the reason these clandestine laboratories are being set up in this area is because the ingredients required to convert coca paste into cocaine hydrochloride are easily found in this country.

The effect of drug trafficking and drug abuse is a deteriorating factor in the community. People are being infected by this affliction on a daily basis. I have heard statistics indicating that between five and ten million Americans are daily users of cocaine. Therefore, we are to consider them addicts. It has also been said that approximately 5,000 more Americans, everyday, are introduced to cocaine. If this is a fact, two million more Americans each year are joining the ranks of the cocaine addicts. And, finally, we have heard that the admission has been made the cocaine is definitely addictive.

It is alarming to find, through our investigations and investigations by other agencies in the South Florida area, how many productive individuals with high places in the community have been corrupted by this menace. It is very common to read in the daily newspapers in the South Florida area indictments being returned against prominent names in the community of individuals who are involved in the financing or the laundering of money derived from the drug traffic.

In our police function, we have been able to determine that the narcotics traffic creates many other crimes. People who are in need of large sums of money to maintain their habit will engage in such crimes as shoplifting, burglaries, robberies and other related offenses in order to abtain the funds with which to support their habit.

Murder has also become very predominant in the drug trafficking business. It was said at one time that drug trafficking was probably the single most cause for homicide in Dade and Broward Counties. In 1981, it was suspected that over 50 percent of the homicides committed in Dade and Broward Counties were drug related. This picture has changed in the last year. This could also be attributed to the effectiveness of the Vice Presidential Task Force. Or, it is also possible that the territories and various criminal enterprise have already been properly distributed and there is no cause for continuous killings in the ranks of those involved in drug trafficking. We should not let down our guard because situations of this nature can change overnight.

Anyone who is a habitual cocaine user may use approximately one gram of cocaine a day. This is a very slight amount. That person will probably be paying anywhere from $80 to $100 a day for that gram of cocaine. . . . $36,500 a year.

Many other areas in the community have been affected by the trafficking of drugs. One of those is real estate. Real estate prices are inflated in the South Florida area because drug traffickers will pay any amount of money for residences that are convenient for their enterprises.

Since the Federal Task Force arrived in South Florida and effectively began seizing large quantities of marijuana and other drugs, their participation efforts allowed us one the local level not to have to react on a daily basis to make constant seizures of drugs, therefore, giving us much needed time to work intelligence information which we have gathered over the years and now we are in a position where we are working large criminal conspiracies aimed at the upper echelon of the drug trade.

We have also become involved in investigations that have led us to organizations that operate outside of the United States. We frequently find out that the main participants in these organizations are based either in the Bahamas, Jamaica or in South America, but constantly engage in business with individuals in the United States. Leaders of those organizations feel that they have a safe haven outside of the United States, and our information is that they operate with almost a free hand for lack of enforcement in some of those countries.

At the present time, in the State of Florida we have mandatory jail sentences and criminal cases are on an increase regarding drug violations. One thing that has affected criminal justice system is overcrowding of penitentiaries. In Broward County we are in the process of building a new county jail at a cost which I hear exceed $50 million dollars.

The majority of the population in jails are there on drug related offenses. Our Unit alone, in the last nine months, has arrested 322 people, or 35 individuals a month. Most of those arrested by our Division are engaged in trafficking cases which require minimum mandatory sentences.

Our enforcement is oriented toward trafficking-type cases. The problem is of such magnitude that we are concentrating on high-level violators which calls for sometimes 15 years, minimum mandatory sentence.

Nancy Hollis Sayler
Presentation to the Select Committee
on Narcotic Abuse and Control
U.S. House of Representatives
October 12, 1983

As defined by the Federal Strategy for Drug Abuse, 1979, prevention ".....focuses on groups or individuals before observable health or behavior problems come to attention...." For years, efforts to combat drug use have concentrated on law enforcement and treatment. Perhaps it is because prevention is non-assessable that it has been given a low priority. However, when we consider the cost of drug use to our society-- in dollars and lives -- it becomes obvious that good prevention/ education programs to combat drug use are the most cost effective approach and equally as important as enforcement and treatment.

Because the Junior League of the Palm Beaches was concerned about drug/alcohol use of Palm Beach County children, a Drug Abuse Task Force was formed in 1979-80 to determine the extent of the problem in Palm Beach County, identify efforts to combat the problem, and develop a prevention project for our League to benefit our county. Findings of the Task Force included:

(a) serious rise in juvenile crime -- in four years (1976-1980) juvenile arrests in unincorporated areas of Palm Beach County had more than doubled (from 827 to 1,719). Law enforcement officials interviewed attributed many of these crimes to drug use.

(b) no unified required curriculum for drug education in our schools

(c) a serious lack of updated, accurate information on prevalence and hazards of juvenile drug use available in the county

(d) a low level of awareness of the prevalence and seriousness of juvenile drug/alcohol use

(e) a sense of helplessness on the part of parents in identifying drug use and taking action to combat it within their families and community. Many parents also felt frustration in the lack of appropriate, effective treatment programs in our area.

Additionally, in 1981, a survey of drug use in our schools revealed that 48% of students in grades 6-12 have used alcohol and/or one or more illicit substances, and that this use was beginning at a continually earlier age. After reviewing existing prevention/education programs around the county, the Junior League of the Palm Beaches adopted GATE SOUTH (Gain Awareness Through Education) in 1981. As developed by the Junior Leagues of Atlanta, DeKalb, and Marietta and adapted to Palm Beach County, the goal of GATE South is to (1) inform parents, teachers and children about the potential dangers of juvenile drug abuse, (2) prevent increase of juvenile drug use and (3) promote positive attitudes and communication skills necessary in the pursuit of healthy alternatives for living. GATE's philosophy is that primary prevention at the local level is the most effective way to combat drug abuse. This is based on the premise that if a child develops a sense of self-worth and self confidence, along with a strong set of values, he is not as likely to become a drug abuser. To succeed, we must (a) arm parents, teachers and children with accurate, up to date drug facts, communications skills, and coping strategies, and (b) help all three groups develop good relationships with the others. GATE presentations are designed in such a way that they stimulate communication among the three groups for further sharing and learning.

Licensed by HRS as a prevention/education program, GATE SOUTH is a speakers bureau of professional trained volunteers, who present education programs to students in grades 3-8 and to adult groups in Palm Beach County. Each volunteer must complete a three month training course on accurate drug information/research, communications skills, psychology relating to the child's self esteem, characteristics of the "family of the 80's", and persuasive public speaking. Volunteers then schedule three one-hour presentations for each class plus an adult presentation for the parents of the entire school population. Presentations for children include accurate drug information (especially on the hazards of marijuana and alcohol), problem solving and role playing (e.g., how to say "no" to drugs, how to help a friend with a drug problem, etc.). Parents are taught accurate information, how to identify drug use, and are given tips to keep their own children drug free. (See attachments on GATE SOUTH.) It is our belief that for prevention to be effective, we must:

(1) provide proper information and skills to our children during their "growing seasons". To bring this program to teenagers is too late! (According to Pyramid, the prevention branch of NIDA, one of the three most effective programs for combatting drug use among teenagers is the Quest "Skills for Living" course.)

(2) reach the family while they still have a strong foundation and rapport, at a time when sharing and learning together can still take place.

(3) make the program positive, ongoing and easy to understand.

It is our goal that we establish this program as an ongoing community support system, networking parents, schools, and the community. To this end, we are also taking an active role in organizing Palm Beach County for the "Chemical People" project. To date, 31 town meeting locations have been determined and over 300 community volunteers organized to mobilize Palm Beach County. The goal of this precedent setting national and local outreach program is to attract community people to their local meeting to watch the "Chemical People" PBS telecasts together, to become better informed and to form task forces to combat the drug/alcohol problem in their own areas. (See attachments)

There are still many obstacles that thwart efforts to reduce the juvenile drug use. Once such obstacle is the strong, operative force of "do drug messages" that confront our children on a daily basis. Society today seems to condone the use of mood modifying substances through media and advertising campaigns--beer ads on TV, promotion of pills to "feel better", drug using role models in sports and movies, publications that glamorize and encourage drug use and drug paraphernalia. There is no way that three hours of a GATE presentation or a unit in schools alone can compete with such a strong message. We need stronger, massive awareness and education campaigns. (For an example, see attached article "Drug Awareness Day".)

Because good prevention/education programs are crucial in combatting the drug problem, further efforts and approaches are vital. On the basis of our research and experiences, our GATE SOUTH volunteers offer the following recommendations:

1. Make prevention/education a high priority at the federal and local levels---we must destroy the myths and glamour and expose the problem as the life threatening disease that it is. Our children are at stake!
2. Allocate a substantial percentage of drug traffickers' assets/monies to the research of the establishment of effective prevention/education programs at the community level. Decreasing the demand for drugs benefits all segments of the fight.

3. Allocate funds for research to better identify and understand the problem of chemical dependency.
4. Establish a national prerequisite for drug education courses for all teacher certification and re-certification. These courses must include accurate, up to date information and must focus on the importance and development of a child's self esteem and values in all school disciplines (NOT just health and science classes). Teachers should establish this philosophy as a daily ongoing process.
5. Develop materials written by experts in the field--no more "arm chair curriculum".
6. Develop a systemized approach involving schools, families, and the community -- abolish "band-aid" approaches.
7. Encourage and support the efforts of volunteer organizations and parents through active vocal and financial support by the government and the private sector.
8. Discourage and fight legislation to legalize and/or decriminalize illicit drugs.

As responsible citizens and leaders, it is our right and responsibility to guarantee our children their rights to a happy, healthy, drug free future. It is essential that we create a strong unified front of legislators, businesses, schools, parents, law enforcement, and treatment, all working together to promote and affect awareness, education and action -- NOT just "lip service". We are not only protecting our future and that of our country, but our greatest and most precious natural resource---OUR CHILDREN.

Nancy Sayler
Chairman of GATE SOUTH
Chairman of Palm Beach County
"Chemical People" Steering
Committee

Attachments

1. Junior League of the Palm Beaches Position Statement
2. GATE SOUTH Background Statement
3. GATE SOUTH brochure
4. GATE SOUTH is unique because.....
5. Adult presentation handout
6. Adult presentation handout
7. Adult presentation handout
8. GATE SOUTH letter to parents
9. Junior League of the Palm Beaches "Drug Awareness Day"
10. "Chemical People" brochure
11. Palm Beach County "Chemical People" overview

[illegible]

POSITION STATEMENT ON DRUG ABUSE

Because our children's physical and mental development up to the age of eighteen is so vital; because experimentation with drugs occurs at a younger age than ever before; and because "new learning skills are most easily developed at this age and, therefore, the young are the primary target of prevention strategies," The Junior League of the Palm Beaches, Inc. (Florida):

1. Supports preventive education within our community on drug abuse.
2. Supports working within the community in the prevention of juvenile drug abuse.
3. Opposes the sale of illegal drugs and the sale of drug paraphernalia to minors.

DRUG ABUSE

Background

November, 1980, Provisional Class meeting, Holy Trinity -- Speaker was Sgt. Bill Tremer, Detective for Palm Beach County Sheriff's Department. Topic was juvenile crime and Drug Abuse. Several members of the class talked during the following week and agreed that they wanted to pursue the drug abuse problem among the young people of our country.

At the provisional class meeting the next week, the class discussed the issue and agreed to form committees and, as a group project, to explore this problem. We set up committees researching latest medical findings (was not completed at that time), law enforcement and schools. Questionnaires were written for each committee to use in interviewing people in Palm Beach County.

November-December. Approached School Board office for permission to use the questionnaires with principals, guidance counselors, etc. to determine the extent of drug problems in the schools. Permission denied. Continued until the present to work with a committee of interested citizens, a School Board employee and HRS County officials to have a needs assessment study conducted in schools of Palm Beach County. (The needs assessment study was finally conducted in 10 Palm Beach County schools in January, 1982. Results will be published sometime in March-April, 1982.) During this time, members also questioned police officials regarding Drug Abuse.

January, 1981. Presented project proposal to Community Research Committee to form a Drug Abuse Task Force for 1981-82. Proposal approved.

February, 1981. Presented project proposal to membership.

March, 1981. Project approved.

Spring, 1981, Research and planning of education seminar for Fall, 1981. Summer -- made contact with Walt Kelly, Drug Abuse Chairman for Palm Beach County Homebuilder's Association. Offered us financial support.

Fall -- Contacted AJL for information on drug abuse projects undertaken by other Leagues. Planned drug abuse seminar for membership. Main Speaker to be Marilyn Benveniste, author of G.A.T.E. project and training manual for Atlanta area Leagues. Seminar held October 27, 1981. October 18, held workshop for Drug Abuse Task Force members and several members of our League's Board of Directors to help plan a drug abuse prevention project for our League. Received check from Walt Kelly for $2,500.

Task Force decided to adopt G.A.T.E. project for our League. Continued to gather information on the latest studies on drug abuse and marijuana research.

DRUG ABUSE
Background
Page Two

January 21, 22, 1982. Nancy Sayler and Linda Connelly attended G.A.T.E. Seminar sponsored by the Atlanta area Leagues

February, 1982. Proposed G.A.T.E. SOUTH as a drug abuse prevention project for the Junior League of the Palm Beaches, Inc.

March, 1982. G.A.T.E. SOUTH adopted.

June, 1982. First meeting for G.A.T.E. SOUTH volunteers (1982-84) Training materials and G.A.T.E. manuals distributed.

September 29, 1982. Palm Beach County Drug Awareness Day sponsored by the Junior League and G.A.T.E. SOUTH committee. Attendance: over 200 business and community leaders

January, 1983. Training completed by eight volunteers. Presentations/speaking engagements begun.

May, 1983. Prevention presentations completed for over 1,200 Palm Beach County school children and 300-400 adults.

June, 1983. G.A.T.E. SOUTH committee agrees to co-sponsor "The Chemical People" project. Nancy Sayler and Betsy Mrachek attend meeting with WPBT Channel 2 (Miami PBS station) executives and members of Dade and Broward Junior Leagues to plan The "Chemical People" project for South Florida. Nancy Sayler to chair "Chemical People" Steering Committee for Palm Beach County.

September - October, 1983. Training for new volunteers and prevention presentations begun.

GATE SOUTH

is unique because...

- It is presented by professionally trained volunteers who have received 36 hours of formal classroom training, and devoted an equal number of hours to independent research and analysis of issues.

- The training course utilized a 300 page manual, written for and copyrighted by the Junior League of Atlanta, Georgia.

- The training course emphasized three major areas:
    - -Drug Issues and Answers (special emphasis on marijuana and youth)
    - -Techniques in Public Speaking
    - -Analysis of the American Family of the 1980's

- It is offered FREE of charge as a community service of the Junior League of the Palm Beaches.

- Sponsoring organization may utilize their own flexibility in designing their own program.

- Community leaders are involved in an advisory role.

- Supplementary materials will be available to each audience (children, parents, teachers, media specialists).

- Volunteers will continue to serve as a resource to the school.

- It is based on the principle of PRIMARY PREVENTION, which states that if a person develops a sense of self-esteem and self-confidence along with a strong set of values, he is not as likely to become a drug abuser.

- It is licensed by the Florida State Department of Health & Rehabilitative Services as a Drug Education/Prevention Program.

- LETTERS OF SUPPORT for the project have been received from the following: The White House, Florida's Attorney General, Florida State Senators, Local State Attorney, The American Council on Marijuana and Other Psychoactive Drugs, Inc., Pyramid (A Project of the National Institute on Drug Abuse), Florida State Department of Health & Rehabilitative Services, Palm Beach County Medical Society, Inc., Local Law Enforcement Officials.

GATE SOUTH

A FEW PARENTING BOOK SELECTIONS. . .

From Marilyn B. Benveniste, Public Speaking and Drug Education Consultant

PARENTING OFFERS US NEW CHALLENGES AND NEW AVENUES FOR PERSONAL AND FAMILY GROWTH

IT IS IMPORTANT THAT YOU, AS A PARENT, FEEL CONFIDENT AND COMFORTABLE IN YOUR ROLE. PARENTING IN THE 1980s IS SOMEWHAT DIFFERENT THAN IT WAS FOR OUR PARENT(S). TO GAIN NEW INSIGHT AND NEW CONFIDENCE IN THE SPECIAL ROLE OF "PARENTING", I INVITE YOU TO READ SOME OF THE FOLLOWING SELECTIONS.

ALTHOUGH SOME OF THESE BOOKS ARE GEARED TO PARENTS, WE HAVE FOUND THAT TEACHERS AS WELL GET EXCELLENT INSIGHT INTO THE LIVES AND BEHAVIOR OF THEIR STUDENTS BY GLANCING OVER SOME OF THE CONTENTS OF THESE BOOKS.

- Bird, Joseph and Lois. Power to the Parents. Doubleday, 1972.
- Briggs, Dorothy Corkille. Your Child's Self-Esteem. Doubleday, 1967.
- Ginott, Haim G. Between Parent and Child.
- Gordon, Thomas, Dr. P.E.T.: Parent Effectiveness Training. New American Library, New York, 1975. (Courses offered sometimes in community
- Kow, Herbert. Growing With Your Children. Little, Brown, and Co., 1978.
- Mothner, Ira and Rosenthal, Mitchell, M.D. Drugs, Parents, and Children: The Three Way Connection. Houghton Mifflin Co., 1972.
- All Gesell Institute Books on Child Behavior. (Many available in paperback.)
- STEP Course reading.

This is but a small selection from the excellent selection found in our libraries and bookstores. It is suggested that you contact your librarian or book store manager and ask him/her about some popular secections.

In addition to reading about parenting, books on body language, managing time, psycho-cybernetics (Maltz), persuasive communication skills. . .are extremely broadening in the arena of parenting. Don't forget to take advantage of courses in Continuing Education offered at nearby Colleges and Mental Health Agencies as well. Find out the credentials of the instructor and the objectives of the course before registering.

Try to read at least 1 or two articles in establised periodicals on parenting each month!!! You may wish to follow up the periodical reading with specialized reading on a particular subject as well.

GOOD LUCK--And remember, there's lots of us "learning and doing" right with you!

GATE South--a project of the Junior League of the Palm Beaches, Inc.
Phone: 746-4308

GATE SOUTH

HOW TO SPOT A POT PROBLEM

Taken with permission from: P. Mann
Ladies' Home Journal, p. 208
Oct. 1980

As quoted from Dr. Ingrid Lantner,
pediatrician, Ohio, expert on
Children and Drugs

COMMON SYMPTOMS OF THE CHRONIC MARIJUANA USING YOUNGSTER

Red eyes
Dry mouth ("cotton mouth")
Fatigue, irritability, edginess
Uncalled for outbursts of temper and abusive language
Increasing friction between peers and family
Abrupt Mood changes
Feelings of loneliness and depression (leading in some cases to suicidal tendencies)
Feelings of paranoia
Loss of weight despite cravings for sweets
Disturbance of sleep
Lack of motivation
Loss of SHORT term memory
Impaired ability to concentrate
Decreasing performance in schoolwork and sports
Blank facial expression
Flat, expressionless speech
Difficulty in fighting off common infections
Cough, asthmatic wheezing, chest pains, skin rashes
Irregular Menstrual Cycle
Decreasing need for interaction
Lack of interest in grooming and appearance
Impaired driving ability
Distorted time sense (when asked to raise a hand in 60 seconds, a stoned youngster will raise it in 10 seconds or less)
Lying

Says Dr. Lantner in this article, "Not all symptoms show up in everyone and it's possible to appear symptomless for a while. . .but, there is no chronic marijuana user who can escape the symptoms completely because of the cumulative damaging effects of this drug."

For further information about drug education programs available to your group, call GATE South: (305) 746-4308

MARIJUANA FACT SHEET

1. There are 421 chemicals in the crude drug marijuana. Delta 9 THC (tetrahydracannabinol) is the psychoactive chemical producing the high.
2. Marijuana used by juveniles today is at least ten times stronger than that used by students in the sixties and early seventies.
3. Fifty percent of a joint you smoke Saturday is still there the next Saturday; twenty percent remains for thirty days.
4. At a time when youngsters need to be mentally acute...to learn and grow... marijuana shortens attention span, reduces performance levels and disrupts memory.
5. One joint equals the effect of one pack of cigarettes on the lungs.
6. Researchers believe that regular use of marijuana by teenage boys depresses testosterone levels resulting in thin body, narrow shoulders, lack of muscle development-arms, chest, and buttocks, facial pallor, and stunted beard growth.
7. Researchers issued warnings that the adolescent girl would be more vulnerable to impaired fertility, menstrual difficulties and aggravated acne.
8. Researchers warn of serious consequences in children whose brain and central nervous systems are still developing.
9. Evidence indicates marijuana impairs vision, attention and tracking behavior--all important components of driving performance.
10. Growing evidence shows that sixteen percent of all highway fatalities are caused by marijuana.
11. More than seven million children between the ages of twelve and seventeen smoke marijuana, many of them daily.
12. Among high school seniors, over 9 percent admit to using pot daily.
13. Studies show the earlier the age of beginning use, the heavier use becomes.
14. Experimentation with pot begins as early as third grade.
15. Marijuana is now the nation's largest "industry" surpassing Exxon.
16. The dollar value of marijuana and cocaine coming into Florida exceeds $7 billion annually.
17. IF A YOUNG PERSON BETWEEN THE AGES OF EIGHT AND TWENTY CAN BE PREVENTED FROM ABUSING DRUGS, CHANCES ARE THAT HE/SHE WILL NEVER HAVE A DRUG PROBLEM.

Compiled and distributed by the combined Junior Leagues of the Atlanta, Georgia area and the Junior League of the Palm Beaches, Inc.

GATE South Phone: 746-4308

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16. Jim Smith, Attorney General, State of Florida
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G ain
A wareness
T hrough
E ducation

SOUTH

Drug Abuse Education is the Key to Prevention

How can I tell if my child is using drugs? Is Marijuana all that dangerous? How can I explain the difference between dangerous and helpful drugs to my child? What can I do as a parent to help keep my child drug free?

These and other questions are answered in the Jr. League G.A.T.E. South program which will be presented at our school on the date(s) listed below.

In researching the problem of drug abuse among young people in Palm Beach County, the Jr. League of the Palm Beaches discovered some startling facts. For instance, in a 1982 survey in Palm Beach County schools approximately 48% of middle school and high school students reported using alcohol and/or one or more illicit substances. Many young people are becoming dealers in order to support their drug habits. These dealers, in turn, are encouraging younger children to experiment with drugs, so that it is not unusual for alcohol and drug use to begin with 11, 12 and 13 year olds. The drug culture sends subtle messages to our young people through rock music, movies, and T.V., which parents don't always notice or understand.

The G.A.T.E. South program focuses on marijuana, a misunderstood, available and popular drug which symbolizes the kiddie drug scene of today. Junior League volunteers who present the program have been professionally trained by Marilyn Benveniste, a nationally recognized expert in the fields of drug prevention and public speaking and by local experts in these fields. Since the focus of the program is primary prevention, the target audience is the younder child in grades 3 through 8. It is vital for parents to be educated along with their children, however, in order to approach the subject of drug abuse on a factual, rather than emotional, level. Specific information about the upcoming G.A.T.E. South program is listed below. Come and learn what you can do NOW to protect your child!

The presentation at our school will be:

Date(s): ______________________________

Time: ______________________________

Place: ______________________________

Please complete the form at the bottom of the page and return to your child's teacher as soon as possible.

- -

I plan to attend the G.A.T.E. South program ______________________.

I am unable to attend, but would like more information ____________.

I plan to bring ______ guests.

Signed ______________________________

"DRUG AWARENESS DAY"
ITS IMPACT

League members who were unable to attend our "Drug Awareness Day" on September 29 should know what our G.A.T.E. (Gain Awareness Through Education) South program is already doing. The five hour seminar at the Hyatt Palm Beaches had in attendance several hundred business, civic, religious, and political leaders as well as a large number of interested Junior Leaguers.

We can be extremely proud of our League's new program. The "Drug Awareness Day" seminar was well run—one would expect that with Nancy Sayler as G.A.T.E.'s Chairman and Linda Connelly and Barbara Paschal as Co-Chairmen.

With so much vital information to share, the five dynamic speakers held he audience's attention. The stature of the speakers was commensurate with heir messages. They were: Dr. Carlton E. Turner, Director of the Drug Abuse Policy at the White House; Jim Smith, Attorney General of Florida; Dr. Ian MacDonald, Director of Clinical Research Straight, Inc., an adolescent drug reatment program in St. Petersburg; Kathy Meith, head of C.O.P.E. (Concerned Organization of Parents to Educate) of Melbourne, Florida; and Peter Bensinger, nationally and internationally associated with police and crime. Added to the program was printed data and information paid for by donations from the Kiwanis Club.

To emphasize the importance of the seminar, West Palm Beach Mayor Eva Mack and the City Commission declared September 29 as "Drug Awareness Day" for West Palm Beach.

Certain statistics presented by the speakers were overwhelming in their impact. Our youth drug problem is so bad that every year 60,000 adolescents under the age of eighteen require medical treatment for marijuana use. Since 1971, youth's tolerance to drugs has increased and drug potency has progressed from "Marijuana" to "Good Stuff" to "Hashish" to "Mexican". Now there are cases of hash oil being used in normal cigarettes with no odor or visible detection. The average age of users has decreased to 13 years old.

In Palm Beach County, statistics show 48% of middle and high school students use alcohol and/or one or more illicit substance (specifically, 47% alcohol, 43% cigarettes, 27% marijuana, and 5% cocaine) by the age of 14. Even more frightening is the fact that most parents have been ignorant of drugs—often not recognizing them in their own children.

Dr. Turner spoke extensively on the physiological effects of heavy marijuana use. Since there are 421 chemicals in marijuana, you may be sure there are debilitating effects on the reproductive and cardiovascular systems of users as well as on mental processes. Sleep, learning, and thought patterns are significantly altered with frequent use of marijuana.

All this information is, of course, alarming. Perhaps that is a major reason why many of us have blocked it out in the past, feeling unable to do anything about it.

The most encouraging and impressive news that came out of the day was that we now have a plan to prevent drug usage. And, we know the plan works. The same preventative programs our G.A.T.E. South program will be using locally have been proven successful elsewhere. There is every reason to believe these programs will make significant and positive differences in our community. Research shows informed, strong parents and adult groups interrelating with informed and disciplined children give those children the confidence to avoid drugs. Accurate information on drugs and effective communication between adults and children is the key. This is what G.A.T.E. South is all about.

The impact of drugs on our youth is staggering. The destruction of our children and the reality of drug related crime affects all our lives. As Nancy Sayler so inspiringly said, "the League is taking a stand. We are becoming involved in drug prevention to protect our families, communities, and businesses. Through G.A.T.E. South, we are building our facts and skills so we may increase the potential of love for our most precious resource—our children.

Bonnie P. McCloskey

"DRUG AWARENESS DAY"

Nancy Sayler with Tim Henry (L) and Joe Belluccio (R) on June 2, 1982, receiving a $1,200 donation for G.A.T.E. South brochures and seminar invitations.

Dr. Carleton E. Turner, Director of Drug Abuse Policy for the White House.

Kathy Meith, head of C.O.P.E.

Nancy Saylor, Peter Bensinger, Dr. Carleton E. Turner, Eva Mack, Mayor of West Palm Beach.

Peter Bensinger, Jim Smith, Attorney General of Florida, Ann Talley, Tim Henry.

Dr. Ian MacDonald, Director of Clinical Research Straight, Inc.

THE PALM BEACH COUNTY CHEMICAL PEOPLE PROJECT

The CHEMICAL PEOPLE is a nationwide and local outreach program to fight school-age drug and alcohol abuse.

On November 2 and 9, Public Television will broadcast a two part series designed to bring together concerned parents and citizens into small community groups and offer them guidelines for dealing with the problem. The shows are hosted by Nancy Reagan and will be shown nationwide on 200 PBS stations.

The first program deals with hard information about alcohol and drug abuse. Following this show, a panel of community resource people-judges, teachers, counselors, and teenagers will discuss their own local situation at each town meeting.

The second show will deal with organizing a community task force and will show how other parents, schools and neighbors, are fighting this problem and what a task force can do. At this meeting the panel of resource people will share information about prevention, intervention, and treatment. Parents and neighbors in each community will be encouraged to work together on a continuing basis to prevent drug and alcohol abuse among our youth.

A CHEMICAL PEOPLE steering committee has been formed to coordinate this project in Palm Beach County. Channel 2 and 42, will be broadcasting the shows as well as doing public service announcements to urge attendance at town meetings to watch the shows. Both stations also will be doing follow up shows.

Through the cooperation of the Palm Beach County School Board, all of the 21 community schools plus several other sites will be used for the viewing of the shows and to have the town meetings. An area coordinator for each meeting will be appointed to identify possible task force members as well as the panel of resource people to lead the discussion. These meetings will be small enough so that each group will be able to discuss their own local situation.

The steering committee has approached many community organizations and businesses and the response has been overwhelmingly favorable to this project and its need. They are lending their support to help publicize CHEMICAL PEOPLE.

It is obvious that two television shows by themselves will not do anything to stop drug and alcohol use/abuse, but CHEMICAL PEOPLE is a beginning - a way to stop feeling helpless and begin a real grass-roots effort to deal with this problem.

PRESENTATION TO THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

U.S. HOUSE OF REPRESENTATIVES

Jeffrey D. Malmquist

National Director of Program Development

October 12, 1983

PRESENTATION TO THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL
U.S. HOUSE OF REPRESENTATIVES
OCTOBER 12, 1983

It is easy to be concerned about the scope of the youth alcohol and drug problem in Palm Beach County when one finds that 500 of the 1000 adolescent arrests each month are drug and alcohol involved. Palm Beach County's problem is certainly no different than any other county's problem in South Florida, nor is South Florida's situation unique with respect to adolescents and young adults who are harmfully involved with alcohol and mood-modifying drugs. In my travels across the country, I have found that community after community is faced with a problem of the same magnitude as the one that exists here.

Every community has its "500", its group of troubled youth who are the most visible. In those communities, I have found confusion about what to do for those 500 youngsters, for those most visible teenagers. The confusion exists because we don't know what we are faced with. Are these youngsters addicts, are they addicted to mood-modifying chemicals? Are these youngsters criminal justice problems? Are these youngsters the products of broken homes? Because we lack good knowledge about drug and alcohol abuse, because we lack solid information about chemical dependency, we fail to provide a united and coordinated front to deal with this problem.

Most communities have people in positions of responsibility who believe that the answer for that group of 500 is jail. There are psychologists and therapists in most communities who believe that we can solve this drug abuse problem if we assist these youngsters in resolving their underlying problems. There are community members who believe that attendance in alcoholics anonymous or narcotics anonymous meetings will provide the solution. Some community members point finger at the media and advertising, at television shows and find fault with them and think that they add an element to this problem.

In fact, we lack concensus in the drug and alcohol abuse and dependency treatment field. We lack a commonly understood definition as to what constitutes the real problem, and because of that, we provide parents with a confusing array of programs and options. Because we have not been rigorous in our definition of the problem, treatment is often vague and dependent on the whims of a staff inadequately prepared to combat a most serious and debilitating illness. Watered down treatment gives poor results and those youth who return to alcohol and drugs provide the community with yet another example of an approach that does not work. Communities experience failure after failure, not because they are not concerned, but because they have not gotten the correct information about this problem, and because the treatment field often fails to deliver a legitimate service.

A community's concerns about those "highly visible" youth often keeps them from laying the ground work necessary to recognize those youth who are in the process of joining the "highly visible". Effective treatment for the chemically dependent person becomes more likely when the illness is recognized early in its progression. But when the members of a community have a high threshold of concern, only the "highly visible" will have a "problem".

Late stage alcoholism and chemical dependency is easy to diagnose; we must become better equipped to diagnose this illness early in its progression. In talking with youth in treatment centers around the country, we find that the antecedents were there. The data to suggest they had a problem existed even two years prior to their treatment experience, but that data was spread between so many people that no single one of them was highly concerned. Had they been brought together as a group and shared the limited information they each had, they would have been surprised at the sum total.

Education, then, is what we need in Palm Beach County, in South Florida, and throughout the country. We need to be educated about the illness of chemical dependency so that, on a community by community basis, we can accomplish the following items;

EARLY RECOGNITION AND INTERVENTION

In order to recognize this illness earlier in its progression, we need community education that provides awareness that encourages members of the community to take action.

SOUND DIAGNOSTIC WORKUPS

In order to provide better assessments on a more consistent basis, we need education for the helping professional as to the most definitive description of this illness and the latest diagnostic tools and methodologies.

ALCOHOLISM AND DRUG DEPENDENCY PREVENTION

In order to provide true prevention programming, we need education and training that helps us identify this high risk population, that gives us a clear definition of what it is we are attempting to prevent, and that equips us to work with such youth during their elementary school years.

DRUG AND ALCOHOL EDUCATION

In order to provide alcohol and drug information that encourages abstinence, we need education based not on substances, but on the constituents of human health, including stress management, legitimate coping methods, and the practical matter of learning how to say "No".

TRAINED PROFESSIONALS

We need undergraduate and graduate coursework that prepares the health professional for a career in the chemical dependency field.

CHEMICAL DEPENDENCY DEFINITION

When an individual loves the effects that alcohol and other drugs have on him, when he relies on those mood-modifying substances to feel good about himself, when his preoccupation with attaining those welcome effects occurs at the expense of his values and emotionality, when such use results in consequences that are recurrently hurtful to himself or others, and when he is unable to resolve this situation through this own resources, he has an illness called chemical dependency.

When family members compulsively react to the behaviors of the chemically dependent individual, when their feelings of self-esteem begin to rest on what the individual does or does not do, when their preoccupation with the attitudes and action of the chemically dependent person becomes so great that it exists at the expense of their values, commitments and emotionality, when they begin blaming each other for the family's pain and dysfunction, and when they are unable to resolve their problems on their own, they suffer from a family-wide illness called chemical dependency.

A RATIONALE FOR COMMUNITY BASED AWARENESS PROGRAMS

The central symptom of chemical dependency is delusion. The chemically dependent person sincerely believes his faulty perception of his situation to be accurate and, therefore, his judgement is impaired because it is based on that distorted view of reality.

The family members are deluded too. They often have contradictory views on what the chemically dependent person's "real" problems are and what might be done to effect some immediate change in the dependent person's behavior. Those beliefs generate the false starts that family members make, spelling failure after failure for the family, drastically affecting the entire family's self esteem over time.

The faulty thinking of family members about an appropriate response to chemical dependency extends to most helping professionals; the family's efforts parallel the false starts that helping professionals make. Because of our ignorance, we unconciously enable this illness to continue in its progression, through our activities in our work settings and in our families. Therefore, quality care by necessity involves community wide effort and cannot be left to a single treatment program or a single agency in the community.

Public awareness, education and training in the specific procedures that allow us to confront this illness head on will result in more effective treatment services and a higher rate of recovery for chemically dependent persons in our community.

October 10, 1983

Statement for the record on October 12, 1983, to Select Committee on Narcotics Abuse and Control, vs. House of Representatives

Submitted by Paula F. Nessmith, Chairman, Palm Beach County School Board, West Palm Beach, Florida

Mr. Chairman and Committee Members:

One of the keys to finding an effective solution to substance abuse is consistency. Palm Beach County School District has taken a number of steps in recent years to ensure consistency in our approach to drug education for prevention and our enforcement of rules against drug possession and sales.

One way to achieve consistency within the school district is through adoption of a Drug Education Philosophy. Such a document was approved by the Palm Beach County School Board on June 15, 1983 (see Attachment A). The district's philosophy outlines an approach to prevention and enforcement of the rules. It takes a firm stand against any use of illegal substances by students. At the same time it recognizes that when drug abuse is a symptom of another problem, the schools must seek to provide a humane atmosphere where students can learn to make sound decisions, including the decision to not use drugs.

As has already been stated, another important area where consistency is essential is in the district's approach to enforcement of the rules against drug possession and sales. The Drug Education Philosophy states, "The schools should aggressively and consistently enforce rules against drug possession, drug selling and drug use on campus." To aid the schools in achieving "aggressive enforcement" the School Board has taken several steps:

1. The adoption of a districtwide code for student conduct and discipline as part of School Board policy (Attachment B). A specific statement in this policy defines as serious misconduct "To possess, use or sell any mood-modifying drug or substance including alcohol." The policy also states that such serious misconduct "shall be subject to action by legal means including expulsion from school."
2. The School Board has sent a clear message to the Superintendent and Principals that suspension and expulsion are appropriate punishments for drug related misconduct. The Board has consistently supported the actions of the Superintendent and Principals in these matters. (See Attachment C for the Administrative Directive which details penalties for drug abuse.)
3. Another important aspect of enforcement has been the addition of security personnel, with arrest powers, in the secondary schools and area offices. These security investigators, as they are called, have been responsible for reducing the incidence of drug use on secondary school campuses. The Security Department also maintains a Program Specialist as a regular employee; an important aspect of that person's job is drug education for all students, kindergarten through senior high school.

Consistency in the drug education which is provided to students is also important. We know that the old scare tactics are not effective with most students. We also know that accurate information about drugs and their effects is not enough. Students at all grade levels need information about substance abuse; they also need help in decision making and choosing alternatives to drug use. Three measures will help us to provide an effective and consistent drug education program in our schools:

1. The development and adoption of a unified health education curriculum for grades kindergarten through senior high school. This curriculum was revised during the summer of 1983 and includes substance abuse information appropriate to every grade level.
2. The development and dissemination of a Drug Education Resource List which provides approved supplementary programs, materials and guest speakers for use in the classroom. This resource list was developed from a careful review of all available drug education programs in the community by personnel at all levels of the school system, as well as by lay citizens.
3. An essential component for consistency in all educational programs is on-going in-service for teachers and others who interact with students. We will continue to make this a vital component in our drug education efforts in Palm Beach County.

One final aspect of a consistent program is actually one of the most important; that is parental and community involvement. It is imperative that our children receive the same message about drug abuse from the schools, the home, the church and from every other segment of the community. Schools must recognize that they cannot fight this battle alone. In Palm Beach County we have worked toward this goal in several ways:

1. The formation of the Superintendent's Drug Education Committee which consists of school personnel as well as representatives from law enforcement, area treatment facilities, community agencies and parents. This committee has been responsible for linking the school district to its many partners in the fight against drug abuse. Many aspects of the current drug education effort are a result of committee recommendations.
2. The implementation of "Parent Awareness Seminars" through the Parent Center, a component of the Community School Program. By attending these seminars parents can become informed regarding the problem of substance abuse and ways to deal with the problem in their children.
3. The district is cooperating with the Junior League of the Palm Beaches in implementation of the "Chemical People" program. We are providing space in thirty schools for the program as well as training school center volunteers to participate as panel members and task force participants. We hope this will be a chance to reach many members of the community with our message regarding consistency in the fight against substance abuse.

In summary, we know that substance abuse exists in our community and, unfortunately, in our schools as well. We know that as a school system we cannot solve this problem alone; we offer no panacea, no single program that will effect a magic cure. What we can offer is our expertise and our commitment. It is essential that our commitment take the form of a consistent, unwavering effort. We must provide sound drug education programs, aggressive enforcement of the rules against drug use and an active and positive campaign to involve all segments of our community in this effort. We must also, of course, look to government, at the federal, state and local levels to aid us in our efforts. The task is enormous, but the reward for success is precious beyond price, since it is the well-being of our children which is at stake.

Respectfully submitted,

Paula F. Nessmith, Chairman
Palm Beach County School Board
West Palm Beach, Florida

Attachment A

Drug Education Philosophy

All students enrolled in Palm Beach County Schools have the right to a quality education. Since it is not possible to provide the best possible education to students who are under the influence of mood-modifying substances, every effort must be made to eliminate illegal and inappropriate drug use among school-age children.

1. All students should be provided with accurate information regarding the effects of drugs. This information should be suited to the appropriate grade level and should be consistent for all schools in the district. Such programs must be of a nature that they do not glamorize or encourage drug use.

2. The schools should seek to identify students who are drug users or potential drug users and provide counseling and/or referral for treatment when such counseling or referral is deemed appropriate.

3. The schools must recognize that drug use among students is sometimes the response to other problems and seek to maintain a humane atmosphere which encourages students to have a feeling of self worth and which promotes the development of sound decision-making skills for all students.

4. The schools should actively seek parental involvement in their efforts to eliminate illegal drug use. Every opportunity should be taken to communicate with parents regarding their child's suspected drug use. Educational programs for adults on drug use among students should be offered through the Community School Program.

5. The schools must maintain the position that, since all mood-modifying substances including tobacco and alcohol are illegal for minors, the use of such substances will not be in any way condoned or encouraged by school personnel.

6. The schools should aggressively and consistently enforce rules against drug possession, drug selling and drug use on campus.

Attachment B

5.093 Attendance - Time of official check.

Each classroom teacher is required to implement the school's plan of checking student attendance. The official attendance check shall be made in each classroom at the designated time and shall be reported immediately by the prescribed method to the school office.

Authority: 232.022, FS
6A-1.44

Implemented: 232.022, FS
6A-1.44

History: New: 7/12/72
Revised: 4/6/83

5.10 Legal names of students. —

(1) Where the parents or an outside agency seek to enroll a student in a public school under a name other than the legal name or seek to change the name of the student already enrolled, the parent shall be informed that the name of the child as shown on the birth certificate will be used on the official school record until such time as a final court order verifies a legal change.

(2) Where a student's name is changed legally all official school records shall be updated to include only the acquired legal name.

Authority: 230.22 (2), FS

Implemented: 230.22 (2), FS

History: New: 2/18/72
Revised: 4/6/83

5.11 Releasing children from school. —

(1) The principal or teacher of a school shall definitely establish the identity and authority of any person who requests the release of a student from school. If the person requesting the release of the student is other than the parent or guardian, the principal or the teacher concerned shall be satisfied beyond a reasonable doubt that the request conforms to the wishes of the parent or guardian who has custody of the student.

(2) If a student is physically removed from the school grounds by a law enforcement officer, effort should be made to inform the student's parent or guardian of the time and identity of the officer who removes such student.

Authority: 230.22 (2), FS

Implemented: 230.22 (2), FS

History: New: 2/18/72
Revised: 4/6/83

5.18 Student Conduct and Discipline. —

It is the intent of this policy to outline guidelines for the conduct and discipline of students in all of the schools of the district which will establish a safe, wholesome climate within which both positive growth and learning will occur. These guidelines also apply to adult students, age eighteen or older, except where specifically exempted.

(1) Student conduct code

(a) The following acts by any student shall be deemed by the board as serious misconduct and shall be subject to action by legal means including expulsion from school.

1. To possess, display, or use any object that could be used to harm another person.

2. To loiter or visit on any school campus without written permission of the principal of the school center.

3. To push, pull, shove, or fight any student or member of the school staff, volunteer or chaperon.

4. To use tobacco products on School Board property.

5. To possess, use, or sell any mood modifying drug or substance including alcohol. A student may possess and use a lawful prescription ordered by a licensed physician and this shall not exceed the amount prescribed for one day.

6. To use profanity or obscene and abusive language or gesture in the presence of students or staff members.

7. To interfere with the privacy of any student by any non-consenting act.

8. To disobey or threaten physical harm to any staff member, volunteer or chaperon or to threaten the family or property of any staff member, volunteer, or chaperon at a school center or any school sponsored activity at or away from the school center.

9. To deface, steal, threaten or deprive the owner of the use of real or personal property belonging to the board, students, or members of the school staff, volunteers or chaperons.

10. To participate in or encourage any activity that is disruptive to the general peace and welfare of the school center, or related functions in presence of or without presence of a professional staff member.

11. To discriminate against any other student, staff member, volunteer or chaperon on the basis of sex, race, creed, color, handicap or national origin.

12. To display behavior on the part of a student which is self-defacing or injurious to the student.

13. To participate in a walkout, sit-in, strike or other action which is disruptive to the good order and effective functioning of the school.

(b) The above regulations shall be implemented by the following:

(1) Each school center shall implement a system of redress of student grievances including the right to a fair and speedy hearing on said grievances.

2. Each school center shall maintain records for each student involved in infractions of said policy. These records shall be on the forms prescribed by the superintendent.

3. The principals of the school center shall have authority over all school sponsored activities at the center or away from the center during or after the school day.

4. Each school center may promulgate additional rules peculiar to their needs.

5. The information provided in these rules shall be made available to student, parents or guardians and to the school staff at each school center in the students handbook.

(2) Grievances against schools

(a) The regular structured procedures for presenting grievances which students and parents or guardians feel they have against the school shall be followed.

(b) The superintendent shall establish procedures by which students and parents may present grievances to appropriate school authorities. Grievances associated with student boycotts, walkouts and sit-ins must be presented by the parents themselves rather than by students.

(3) Personal appearance of students

(a) The primary responsibility for the personal appearance of students rests with the parents.

(b) However, when a student's appearance at school or at a school activity becomes a disruptive factor, a safety hazard, or exhibits impropriety, the principal shall correct and control these situations.

(c) Each school shall involve parents, students and staff, in developing a program that promotes neat appearance, grooming, cleanliness and desirable health habits and attitudes.

(4) Non-attendance of students under sixteen

(a) Regular school attendance is required of all children to a minimum age of sixteen with the following exceptions:

1. Students who are married or have been married, unmarried students who are pregnant and students who have already had a child out of wedlock.

2. Children within the compulsory attendance age limits who hold valid certificates of exemption which have been issued by the superintendent.

3. Public school attendance is not required after the student attains the sixteenth birthday.

(b) The superintendent shall establish appropriate procedures for the notification of parents about excessive student absences.

(c) In each case of nonenrollment or of nonattendance on the part of the child who is required to attend school and when no valid reasons for such nonenrollment or nonattendance is found, the superintendent shall institute a criminal prosecution pursuant to the provisions of Section 232.19 (2) (5), FS.

(5) Student detention, search and seizure

(a) The principal, teacher, librarian, dean or others engaged in an instructional capacity in public schools shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that such student has committed, is committing, or is about to commit a violation of law. No student shall be temporarily detained longer than is reasonably necessary. Such temporary detention shall not extend beyond the place where it was first effected, or the immediate vicinity thereof.

(b) If, at any time after the onset of the temporary detention, probable cause arises that the detained student is unlawfully concealing or has unlawfully concealed, stolen, or has illegal property on the student's person, or within the student's locker, a member of the instructional staff may search the temporarily detained student and the student's locker only to the extent necessary to disclose, and for the purpose of disclosing the presence of stolen or illegal property.

(c) If the search of a temporarily detained student or the student's locker reveals stolen or illegal property, it may be seized.

(6) Boycotts, walkouts, sit-ins

(a) Participation by any student in a walkout, boycott, sit in, strike, or similar action which interferes with the orderly operation of a school shall be deemed serious misconduct, as provided by applicable Florida Statutes.

(b) Any student who participates in such an activity shall be subject to suspension or expulsion.

(7) Alcohol, drugs, smoking

(a) The use or possession of alcoholic and intoxicating liquors and beverages and narcotic type drugs shall not be permitted in any school center, or any school sponsored activity in Palm Beach County Schools by any person.

(b) No smoking shall be permitted by students in any school center, on any public school bus, or any school sponsored activity.

(c) There shall be no smoking in the gymnasiums and auditoriums of the Palm Beach County Schools by any person. Notice to that effect shall be displayed.

(d) Adult Education centers may allow smoking by adults outside of the regular school day and in spaces designated as smoking areas.

(8) Probation

(a) A school principal may place a student on probation for a reasonable time, not to exceed the academic year in which the probation is assigned.

(9) Corporal punishment

(a) Corporal punishment is the moderate use of physical force or physical contact by the principal or the designated representative of the principal as may be necessary to maintain discipline or to enforce the rules.

(b) The use of corporal punishment shall be approved in principle by the principal before it is used in the school.

(c) Corporal punishment shall be administered only by members of the instructional staff and only in the presence of the principal or the principal's designated representative. No teacher, with the exception of deans, shall be required to administer corporal punishment.

(d) The principal shall attempt to employ parental assistance or other alternative measures to elicit positive behaviors prior to the administering of corporal punishment except in cases of disruptive conditions which require immediate action.

(e) A reasonable attempt shall be made to notify the parent or guardian on each occasion that corporal punishment is administered.

(f) The parent or guardian shall, upon request, be provided a written explanation of the need for the punishment and the name of the adult witness.

(10) Student suspension

(a) Suspension is the temporary removal of a student from the regular school program for a period not to exceed 10 school days.

(b) The principal or the designated representative of the principal may suspend a student for willful disobedience of authority of a member of the school staff, volunteer or chaperon, for violence against persons or property, for the use of profanity or obscene language, for repeated misconduct of a less serious nature, for other acts specified in Section (1) above, Student conduct code. Written notice of each such suspension issued within the reasons specified thereof, shall be mailed within twenty-four (24) hours to the student's parents or guardian and to the superintendent; provided, further that no one suspension shall be more than ten (10) school days and that no one suspension shall be made an expulsion unless so ordered by the school board in a resolution adopted and spread upon its minutes. The principal or the designated representative of the principal may suspend any student transported to and from school at public expense from the privilege of riding a school bus for a period not to exceed ten (10) school days or until such suspension is modified or made an expulsion by the school board, provided that written notice shall be mailed within twenty-four (24) hours to the superintendent and the parents or guardian.

1. The principal shall attempt to employ parental assistance or other alternative measures to elicit positive behaviors prior to suspension, except in the case of disruptive conditions which require immediate suspension.

(c) The following information shall be included in the written notice sent to parents or guardian and to the superintendent:

1. Nature and date of the offense.
2. Beginning date and ending date of suspension.
3. Rule of student conduct code which has been violated.
4. Restrictions as to the appearance on school campus during suspension.
5. Counseling with principal prior to return.
6. Possibility of student doing work at home during suspension.

(d) The superintendent may authorize the extension of the suspension of a student from school for more than (10) school days, as provided in the subsection (b) above, upon the written recommendation of the principal; provided that the parent or guardian of the suspended student is notified by certified mail of the principal's recommendation of an additional thirty (30) school day suspension. After concurrence of the superintendent of schools, the additional thirty (30) school day suspension may be made, provided that, such suspension may be terminated prior to the expiration of the additional thirty (30) school day suspension if recommended shall be entitled, if so requested, to a hearing on the additional suspension within the initial ten (10) school days of the suspension. When a student has been suspended for an additional thirty (30) school days, the parent or guardian shall be notified in writing of such additional suspension.

(e) The principal or the designated representative shall include an analysis of suspensions and expulsions in the annual report of school progress.

(11) Student expulsion: Expulsion is the removal of the right of and the obligation of a student to attend a public school for the remainder of the school year.

(a) The superintendent shall establish procedures which authorize the principal to provide the superintendent with a written recommendation for the expulsion of a student where expulsion is justified to insure the safety of the student involved, to insure the safety of other students, and staff and to protect the students, the staff, volunteers and chaperons from assault and disruption.

(b) Only the Board can make a decision to expell a student from school.

Authority: 230.22 (1) (2), 230.23 (6) (c) (d)
(8), FS
232.26 (1) (a), 232.27, FS
71-826, 71-828 Laws of Florida Special Acts, 1971

History: New: 1/3/73
Revised: 5/4/77
4/6/93

5.19 Suspension/expulsion of handicapped students.

When a handicapped student has engaged in conduct which, under normal circumstances, could warrant serial suspension (beyond ten days), or expulsion, a staffing committee shall review the case and determine whether or not the student's

Attachment C

D-5.132---Penalties for Drug Abuse

The following penalties for students in secondary schools regarding possession/use and distribution of drugs shall be uniformly enforced. For purposes of clarification, the following definitions of terms are presented and apply to enrolled students of the Palm Beach County School System:

1. POSSESSION/USE -- Having on one's person or within one's personal property or under one's control by placement of and knowledge of the whereabouts or reasonable belief that one has assimilated, or reasonably appears, in the judgment of appropriate school officials, to be under the influence of any mood-modifying substance including, but not limited to, those drugs and/or dangerous substances listed in Chapter 893, Florida Statutes, and including alcohol, while on school property or jurisdiction of the School Board of Palm Beach County. Students in possession of legitimate prescriptions in their names and following appropriate guidelines of the School Board Policy for for medications are exempt from this **directive.**

2. DISTRIBUTION -- The transfer of any mood modifying substances including, but not limited to, those drugs and/or dangerous substances listed in Chapter 893, Florida Statutes, prescribed medications, and including alcohol, to another person, with or without exchange of money or consideration of other valuables while under the jurisdiction of the School Board of Palm Beach County. **Under this directive, possession is included in any case** of distribution.

PENALTIES FOR VIOLATIONS OF POLICY

1. Possession and/or Use

First Offense: 10-day suspension, followed by counseling
Second Offense: 10 days plus up to a possible 30 day suspension and a possible recommendation for expulsion

2. Distribution

First Offense: 10 days plus up to a possible 30-day suspension and a possible recommendation for expulsion

NOTE: PENALTIES MAY BE INCREASED BASED ON QUANTITY OF THE SUBSTANCE INVOLVED AND PAST RECORD OF THE INDIVIDUAL.

ALL VIOLATIONS WILL BE REPORTED TO THE POLICE OF JURISDICTION.

Reference: *230.22(2)FS; 230.23(6)(c)FS*
School Board Policy 5.18

History: *New:* ***March 2, 1981***

· 232

THE SCHOOL BOARD
OF PALM BEACH COUNTY, FLORIDA

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SUSAN R. PELL

October 7, 1983

Statement for the record on October 12, 1983 to Select Committee on Narcotics Abuse and Control vs. House of Representatives.

Submitted by Gary Frechette, Program Specialist, Department of Security, Palm Beach County School Board, West Palm Beach,Florida.

Mr. Chairman and Members,

I take this opportunity to relate to you several areas of concern regarding substance abuse in South Florida. From these concerns I hope to point out several ways the Palm Beach County School Board has approached the problem, which we cannot solve alone.

Narcotic trafficking and substance abuse is taking a grave toll on our young adults attending both private and public schools. It is my belief the present task force which has been established is doing a great job in curbing drug trafficking into South Florida. However, enforcement alone is not the answer. The biggest problem we face in the educational system is not that of instructing our children, but raising parents awareness of substance abuse. I hope you will recommend that the full house address the parent awareness problem we face in substance abuse prevention and education. We must stand firm also on enforcement of the Substance Control Act. We need to use whatever Federal resources are available to enforce drug trafficking laws and also to educate the public about substance abuse.

I would like to explain several School Board programs and the Palm Beach County School Board philosophy on drug education. It should give you another picture of substance abuse prevention and education.

Substance abuse in the schools is a national as well as a local problem which the Department of Security addresses through drug education and counseling programs. We employ 19 certified and trained Resident Investigators. They are spread out in 19 junior and senior high schools. The program provides direct and continual attention to substance abuse and other problems in those selected schools on a daily basis. Their deterrent factor has decreased substance abuse on school campuses. Not only do we concern ourselves with enforcement, but our major function is to provide substance abuse information in the classrooms. Students with abuse problems frequently are counseled by the resident investigators and referred for treatment if need be.

A proper educational environment should be free from substance abuse problems. This is essential if quality programs and meaningful learning is to result. Next to the family, schools may be the second most influential factor in the lives of youth. Substance abuse is encountered by young people both at home and in school. Our Resident Investigators have engaged in substance abuse prevention programs by working closely with students individually and collectively. The program also features formal and informal instruction through student groups to increase their understanding of substance abuse.

The substance abuse prevention and educational program we use is "Naturally High". Feeling good about yourself, getting high without taking any chemical substances. It contains four keys to effective drug education.

1. Combine accurate drug information. Separate drug facts from drug fiction. No scare tactics, only information used in the decision making process. A factor in being able to deal with peer pressure.

2. Develope skills in achieving human needs, self-esteem. "Getting High on Yourself".

3. A back-up or fail safe system to those skills of stress and basic needs of life.

4. Youth helping youth, kids helping kids in understanding substance abuse, dealing with the coolness effect and peer pressure they face.

Through the four keys, the "Naturally High" program works. The most exciting part is the substance abuse program for the kindergarteners and first graders. Yes, we do start teaching drug abuse at this level. The program comes from the U.S. Department of Justice, Drug Enforcement Administration's "Katy's Coloring Book about Drugs and Health" (printing office: 1977 0-230-527). I use the coloring book in the classroom. Students view the pages of the book and each time they see the slogan "Only sick people need drugs", they hold hands, look at each other and scream "Only sick people need drugs". After twenty minutes, they have become "Gary's M & M's, my Militant Midgets. They take the message home and believe, because of coolness and peer pressure established in the classroom. What can committee members do? Please flood our nation with Katy coloring books. They are worth their weight in gold. I know it works.

The Palm Beach County School System has established a Drug Education Committee. The committee is comprised of school board members, administrators, state and county health agencies and non-profit health organizations. After several months the District's Drug Education philosophy is as follows for your review:

All students enrolled in Palm Beach County Schools have the right to a quality education. Since it is not possible to provide the best possible education to students who are under the influence of mood-modifying substances, every effort must be made to eliminate illegal and inappropriate drug use among school-age children.

1. All students should be provided with accurate information regarding the effects of drugs. This information should be suited to the appropriate grade level and should be consistent for all schools in the district. Such programs must be of a nature that they do not glamorize or encourage drug use.

2. *The schools should seek to identify students who are drug users or potential drug users and provide counseling and/or referral for treatment when such counseling or referral is deemed appropriate.*

3. *The schools must recognize that drug use among students is sometimes the response to other problems and seek to maintain a humane atmosphere which encourages students to have a feeling of self worth and which promotes the development of sound decision-making skills for all students.*

4. *The schools should actively seek parental involvement in their efforts to eliminate illegal drug use. Every opportunity should be taken to communicate with parents regarding their child's suspected drug use. Educational programs for adults on drug use among students should be offered through the Community School Program.*

5. *The schools must maintain the position that, since all mood-modifying substances including tobacco and alcohol are illegal for minors, the use of such substances will not be in any way condoned or encouraged by school personnel.*

6. *The schools should aggressively and consistently enforce rules against drug possession, drug selling and drug use on campus.*

This philosophy was approved by the School Board on June 15, 1983. It is to be used by schools in making decisions when choosing substance abuse programs and presentations. This is another example of our effort to curb substance abuse among our children.

Along with our Special Education Department, our district would support Federal and State legislation to mandate that university teacher pre-service education programs include drug education for all teachers and health care professionals.

Also, Federal funds that are secured from drug seizures should be put back into appropriate in-service programs for teachers. This would be of great assistance. Such legislation could also provide funding for materials to aid in prevention and education efforts.

Adult and Community Education in our system does an outstanding job in educating the community about substance abuse. The programs do not deal in treatment, only in education, but do include information about outside agencies. Funds are needed to advertise on television, radio, and in the media to make parents aware of the classes. The classes now offered are free to those enrolled, however, additional funding for instructor salaries would be of great help.

In conclusion, I would like to thank several members of our school system who assisted in this statement: Superintendent Thomas Mills; Assistant Superintendent Joseph Orr; Carole Shetler,Div. of Special Instruction; Barbara Hegler,Information Officer; Carole Cleveland,Adult and Community Education;and Johnny Mc Kenzie of Security.

From the school yard to the medicine cabinet, exposure to drugs and alchohol inevitably occurs at a young age. If exposure is coupled with accurate information, the likelihood of abuse can be reduced.

Effective education can curtail drug abuse, and while schools can't solve the problem, they can play a definite role in a community effort to reach our young people. Total effort comes from our Federal, State, and local levels. How we decide today to deal with substance abuse can effect our future generations.

Thank you for your time, concern, and efforts.

Respectfully submitted,

Gary J Frechette

Gary J. Frechette, Program Specialist
Department of Security

GJF:sl

STATEMENT OF HUGH S. GLICKSTEIN

Members of the Committee:

I am grateful for the opportunity to appear before you as organizer and chairman of the Florida Bar's Special Committee for the Needs of Children. My purpose in being here is to tell you what the children are unable to tell you personally; namely, that your leadership - your personal, individual commitments are desperately needed now - to provide the resources to respond to America's greatest internal needs - those of its children.

I want to read you part of the statement of purpose of the committee that I chair: Our first purpose is as follows:

> To raise the consciousness and support of the leaders and citizens of Florida in order to achieve the commitment of resources -- tangible and intangible -- to the needs of children based on the following premise:
>
> It would be society's greatest reward -- tangibly and otherwise -- were the future adult inhabitants of this state able to look back to the 1980's and reflect how their predecessors finally came to recognize the priority to be given the well being of children. Such future citizens would undoubtedly be the beneficiaries from (1) our present awareness that children are our most precious gift and entitled to enjoy the happiness which only adults can provide; and that they are our only priceless commodity -- the key to the wellbeing of society; and (2) our recognition that without prioritizing the physical, emotional and educational needs of children, all the efforts to

> eliminate crime, poverty and ignorance
> are only kneejerk, bandaid solutions
> which cure none of society's basic ills.

Our second purpose is to effect a response to those needs by attention to no less than twenty-four vehicles and programs, all of which are described in the appendix attached hereto. Included in that list is Drug and Alcohol Abuse; and our program involves part of my time almost every day.

You have undoubtedly heard from other panelists about the productions entitled Epidemic. How appropriate to describe America's modern tragedy of Drug and Alcohol Abuse. Our children have been infected with the debilitating effects of drugs to such extent that hardly a family can boast that their offspring have not tried one harmful substance or another. We're trying - the parents of Florida who care. In the appendix attached to my statement is information about the programs that have sprung up in revolt against these abysmal problems. But parents can't win this war without your leadership - without your immediate, unwavering commitment to provide the resources - whatever they may be - to eliminate this scourge of society. I'm talking about prevention, not cure. I'm talking about education and whatever vehicle is available on the front end to prevent it ~~from~~ happening. Unless you translate words into Congressional actions, the moral fiber of this nation - already weakened by the greed that drug trafficking has spawned - will be torn apart. I hope you are aroused enough to roar - and keep roaring. You will be supported by your constituents, I assure you, who will perceive your efforts as being evidence of statesmanship. That promise of support is not an idle gesture. As part of the appendix to this statement, I have attached communications from the Chairman of the Family Law Section of the American Bar Association. These reflect inspirational efforts by him to involve the lawyers of this nation. I feel he will be successful in doing so. And it doesn't stop with the lawyers: I have hope that the Florida Medical Association, through its Pediatric Society, will establish a committee similar to that of The Florida Bar. The next logical step would then be action by the American Medical Association. Finally, the judiciary is very concerned. Had there been time, I am sure that the judges in South Florida would have provided you with startling statistics; but the invitations to this hearing were not received until October 3, 1983, on which date I telephoned as many chief and administrative judges as I could, urging them, in the time left, to have the judges assigned to the criminal divisions write me so that their letters could be made part of my statment. I urge you to let me supplement this statement by any letters I do receive. One circuit judge, Arthur Franza, called me on October 6, 1983 and advised that of the 144 cases assigned to him as of September, 1983, 89 were directly drug related. 24 were trafficking; 10 involved delivery; 55 concerned possession. Dade County has been required to establish a separate division for drug cases. Only you can stop the epidemic. Thank you.

APPENDIX TO STATEMENT

HUGH S. GLICKSTEIN

THE FLORIDA BAR'S SPECIAL COMMITTEE FOR THE NEEDS OF CHILDREN

Judge Hugh S. Glickstein
Fourth District Court of Appeal

The purpose of this article is to acquaint you with the above, newly formed special committee; to tell you a little bit about how it came to be; and, most important, to let you know what it hopes to accomplish with your assistance.

First, as to its origin, in the summer of 1982, I developed (a) the growing concern that basic societal problems could only be attacked at their roots by focusing upon children and (b) the belief that The Florida Bar should direct its energies in that direction. As the father of three children, a practicing lawyer for over twenty years, a prosecutor of capital cases, and a trial and appellate judge, I had experienced a number of incidents that convinced me that every child had to be given as much opportunity in life as was necessary to grow into a happy, productive individual. Judges Harry Lee Anstead and Daniel T. K. Hurley of our court encouraged my idea of the formation of a children's committee by The Florida Bar, as did Judge William E. Gladstone, a friend of over 30 years and leader in the juvenile justice system. In November, 1982, the Program Evaluation Committee of the Bar approved the concept; and the Board of Governors then approved the committee's formation in early 1983.

Before the committee's first organizational meeting, four projects were undertaken by a handful of organizing members. First, at Robert E. Livingston, Esq.'s suggestion, the Board of Governors invited Marlene Josefsberg of Miami to appear at its regular meeting to discuss drug and alcohol abuse among children. From that appearance, Marlene and the Board wives put together a program at the Bar's Annual Convention, which hopefully will regularly be presented. Second, following Judge Gladstone's appearance before the Board of Governors, we undertook to support the Governor's Constituency for Children, which had been conceived by Judge Gladstone. This is a pilot program in nine Florida counties predicated upon bringing volunteers and professionals together in recognizing and fulfilling children's needs in each community. Third, Ellen Hoffenberg, Esq. put together a presentation at the child abuse program held at the Capitol in April. Finally, all legislators, county bar associations and major newspaper editors were informed by letter of the formation of the committee.

On May 4, 1983, the organizational meeting produced the following statement of purpose of the committee:

> 1. To raise the consciousness and support of the leaders and citizens of Florida in order to achieve the commitment of resources--tangible and intangible--to the needs of children based on the following premise:

> It would be society's greatest reward--tangibly and otherwise--were the future adult inhabitants of this state able to look back to the 1980's and reflect how their predecessors finally came to recognize the priority to be given the well being of children. Such future citizens would undoubtedly be the beneficiaries from (1) our present awareness that children are our most precious gift and entitled to enjoy the happiness which only adults can provide; and that they are our only priceless commodity--the key to the well-being of society; and (2) our recognition that without prioritizing the physical, emotional and educational needs of children, all the efforts to eliminate crime, poverty and ignorance are only kneejerk, bandaid solutions which cure none of society's basic ills.

2. To effect a response to those needs by attention to the following and other problems and by means of the following and other vehicles and programs:

A. Adoptive services
B. Communications
C. Constituency for Children
D. Corporate support
E. Delivery of legal services
F. Delinquent and dependent children, including those that are abused, abandoned, neglected, and runaways, truants and ungovernables
G. Deinstitutionalization
H. Drug and alcohol abuse
I. Education and day care
J. Family law and preservation
K. Fiscal and programmatic accountability
L. Guardians-ad-litem
M. Information and resources

N. Juvenile Justice
O. Lay and professional voluntary services
P. Legislation
Q. Local bar, medical and other professional associations
R. Medical services
S. Mental health
T. Missing and molested children
U. Out-of-state activity
V. Poverty and hunger
W. Prosecutor and public defender associations
X. Scouting and family forum

The members voted also to create the following ten sub-committees to achieve the committee's aspirations:

COMMITTEE	STATEMENT OF PURPOSE
1. Children and the law	Adoptive services Delivery of legal services Family law and preservation
2. Constituency for children	Constituency for children Lay and professional voluntary services
3. Drug and alcohol abuse	Drug and alcohol abuse
4. Education	Education
5. Family and community life	Family law and preservation
6. Health and welfare	Deinstitutionalization Medical services Mental health Poverty and hunger

7.	Information, communications and resources	Communications, information and resources
8.	Juvenile justice	Delinquent and dependent children, including those that are abused, abandoned, and neglected as well as runaways, truants and ungovernables
9.	Missing and molested children	
10.	Voluntary services	Corporate support Guardians-ad-litem Lay and professional voluntary services Local medical and other professional associations Out-of-state activity Prosecutor and public defender associations

The committee met again at the Annual Convention in June, selected chairpersons for each subcommittee; adopted requirements for recommending active support or opposition by the Bar to legislation, and agreed to appear before (1) all county bar associations to encourage each of them to create committees for the needs of children; and (2) newspaper editors and county school boards throughout the state to discuss the committee's purposes.

Since its organization, the committee has achieved the following:

1. Obtained a commitment from Nova Law Center to dedicate the winter issue of its law review to the needs of children and prepared the articles for that issue.

2. Contributed substantial effort throughout the state in the organizational efforts of communities to combat drug and alcohol abuse by involvement in The Chemical People.

3. Obtained the dynamic support of the Chairman of the Family Law Section of the American Bar Association for (a) the Resolution initiated by the committee for presentation to the American Bar Association and (b) the attention to the needs of children by the Family Law Section.

4. Effected the activation of a children's committee by the Family Law Section of the Florida Bar.

5. Effected the creation of local children's committees by various bar associations in Florida.

6. Substantially assisted in obtaining legislative funding for the Governor's Constituency for Children.

7. Initiated, through its Health and Welfare Sub-Committee, the task of creating a computerized information bank for Florida which will contain basic information on both public and private resources and services statewide which are available to meet the needs of children and families.

8. Adopted and circulated Statements of Purpose for each of its Sub-Committees.

9. Undertook, through its Education sub-committee the study of the need for character education in the public schools of Florida

to the end of effecting character education for children and role models for teachers.

10. Undertook the study of needed legislation, affecting children, in order to promulgate a legislative program by the end of the year.

GOVERNOR'S CONSTITUENCY FOR CHILDREN

Introduction

A "Governor's Constituency for Children" is proposed to promote and unify private and public efforts throughout the State to focus attention and resources on meeting the priority needs of children, who have no effective voice of their own in government.

This Constituency will, at local and state levels:

- Identify and prioritize the needs of children and youth;
- Maximize the use of existing resources to address unmet needs;
- Promote prevention programs to help children to mature and achieve their full potential;
- Serve as a change agent to advocate for children through local and statewide initiatives;
- Effect cooperation and coordination and eliminate "turf-guarding" among public and private agencies;
- Evaluate what has and has not worked in addressing the needs and problems of children and youth;
- Through the involvement of community and business leaders, heighten the public's awareness that the problems of children are the problems of their families, their communities, and their society;
- Enhance the quantity and quality of volunteer efforts;
- Establish realistic goals for meeting children's needs and work toward those goals; and
- Effect a full partnership between the public and private sectors to benefit children.

Background

Recommendations for unification of efforts to benefit children are pervasive in reports resulting from the work of numerous task forces, commissions, and conferences. Further, the groundwork for the concept of a Constituency for Children is established in both existing and former organizations.

At the State level considerable effort toward intergovernmental coordination on behalf of children recently has been initiated, particularly between the Department of Education and the Department of Health and Rehabilitative Services. Despite these efforts, however, those who care about children and know of their problems, tragedies and unmet needs have not united to maximize their considerable talent and scarce resources in order to speak with one voice on behalf of children.

As Florida takes its place as a national leader over the next decade and its people seek a better quality of life, common sense and economic reality dictate that human problems must be addressed as they emerge early in life.

Unfortunately, "advocacy" groups often perceive themselves as in an adversarial role to government and vice versa. On the other hand, "advisory" groups and their recommendations can become lost in government. It is essential that the Constituency achieve a cooperative public-private balance and that private sector members of the Constituency be highly visible in its activities.

Concept

The Governor's Constituency for Children will be constituted of people--young and old--who care enough about Florida's children to act on their behalf. It will attract as its members representatives of schools, civic organizations, courts, service clubs, professional associations, law enforcement agencies, parent groups, churches and synagogues, business organizations, human service agencies, advocacy groups, and a variety of State and local agencies. A children's division will be an important part of the Constituency and consist of school-age members who participate in discussing and assigning priorities to important issues as seen from their perspective. The Constituency will tie together existing networks for children and build networks where none exist. Membership will be open-ended, and the Constituency will seek to connect, serve and give direction to, while not governing, the vast array of activities on behalf of children.

Structure and Operations

The Governor's Constituency for Children will operate with a strong grassroots and broadly representative membership in each county. (A county base of operations is proposed because it offers a common structure upon which both community and agency activities are focused.)

The Constituency will be organized under a State Council with a network of county councils and will include a strong, well-trained volunteer corps. It is not intended that the Constituency become another level of bureaucracy; rather it is expected that all professional and volunteer members become familiar, through hands-on experience at the county and state level, with the kinds of problems children face. An organized system will be established to pair lay members of the Constituency with agency case managers to assist in identifying key issues exemplified in selected representative cases. As core problems emerge from these experiences, Constituency members will address service barriers, policy gaps, and resource shortages and discuss them at County Council (and/or regional) and State Council meetings. Properly composed, such a forum will greatly facilitate problem solving on behalf of individual children and focus the attention of public policy makers on the unmet needs of children generally.

The Constituency at the County Council level will become aware of problems which cannot be resolved at the county level and that require resolution at a higher level. It is in such situations that the State Council of the Governor's Constituency for Children will come into play.

The State Council will serve as the hub of a statewide network of information about problems, plans and resources. It will help connect resources with needs, and, where resources do not exist or are in short supply, the State Council will serve as a vehicle to identify and advocate for them.

State Council

The Governor will chair the State Council in order to assure the highest level of inter-agency and public-private sector participation and cooperation. The Vice-chairperson will be a lay person appointed by the Governor. Permanent members will include the Commissioner of Education, and the Secretaries of the Department of Health and Rehabilitative Services, the Department of Labor and Employment Security, the Department of Community Affairs, and the Department of Administration. The Governor will appoint other government, agency and lay members to the State Council. Representatives from the first County Councils formed (five the first year) will also be appointed to the State Council during the first year by the Governor. Thereafter, the County Councils (joined into regions where appropriate because of population) will select members to serve on the State Council. After the first year, at least two-thirds of the State Council will be lay representatives from County (or Regional) Councils. Terms of office for non-permanent members should be staggered and, perhaps, limited to two three-year terms.

At the state level the Constituency shall be formed and budgeted within the Department of Administration, since the operations of that Department flow across all other executive branch departments which may be involved with the Constituency.

It is essential, however, that the Constituency be identified as a priority project of the Governor himself. A strong, capable, and visible executive director (or similar position) of the State Council will provide initial staff support for the Constituency. The director must have the full confidence of the Governor. For visibility and communication with the Governor, the director should have an office in the Offices of the Governor, although the staff offices of the director would remain in the Department of Administration. The director will have the following primary responsibilities during the first year:

- Develop for the Governor's approval a detailed operational plan, with short- and long-term organizational goals;
- Identify and seek potential sources of funding for the state organization;
- Facilitate appointment of state and county members;
- Accompany and/or represent the Governor at meetings with local and State officials to promote and assist in the formation and active involvement of local and state councils.

The director will have a small support staff and funding for travel and office expenses.

County Councils

So that the entire Constituency may be phased-in in a workable and orderly fashion, there will be approximately five initial County Councils, from urban, suburban and rural counties.

The Governor and his designee will identify key laymen and officials in the initial counties he chooses, meet with such people, and request that they form County Councils. Such people should include, in addition to the superintendent of schools and the highest local HRS official, lay leaders representative of the informal leadership structure of the community and other lay and professional people interested in children's matters. This group will recruit others to the County Council. Ultimately the County Council will be elected by members of the local Constituency.

The membership of the Constituency will consist of any and all people and agencies who want to join.

The County Council could hire a professional coordinator and such staff as may be necessary or may choose to use a volunteer staff of laymen and/or public and private agency professionals--e.g., the Mayor's staff.

The relationship between the Governor, the State Council and the state staff on the one hand, and the County Councils and county staff on the other hand is another critical area of planning demanding delicate balance. There should be general guidelines requiring, for example, broad-based representation and involvement, but the County Councils must be autonomous enough to be free to identify and solve their own problems where possible and to grow independently. The state group should offer technical assistance and advice in the formation and hiring of staff of County Councils and should provide leadership and guidance in a very general way, but the State Council should not control the County Councils beyond what is absolutely necessary to hold the state Constituency together. Success will require building from the grassroots up rather than from the top down, with continuous interest and volunteer participation encouraged out of a local sense of personal, proprietary interest.

Beyond the foregoing structural mandates, and during their formative periods, State and County Councils will explore options for their ultimate organizational structure.

March 1983

STATEMENT OF PURPOSE OF THE DRUG AND ALCOHOL ABUSE SUB-COMMITTEE OF THE FLORIDA BAR'S SPECIAL COMMITTEE FOR THE NEEDS OF CHILDREN

Recognizing that drug and alcohol abuse,. commencing at an early age, is the most pervasive problem faced by families and by law enforcement, and

Recognizing further that every effort expended in eradicating drug and alcohol abuse among the young is more meaningful than efforts subsequently expended to deal with the problem after the young become adults; then

It is the stated purpose of this sub-committee to create support in every community in Florida to the end that education and identification may be meaningful programs to break the cycle of drug and alcohol abuse.

The following strategies will be employed to achieve the above mentioned goal. The sub-committee will:

> Explore methods by which every community in Florida can use education and identification and early-intervention as weapons against the cycle of drug and alcohol abuse
>
> (1) Alcohol will be considered as a drug.
> (2) There is no such thing as "responsible use" of alcohol and drugs for children. Any drug is harmful to children whose bodies have not reached maturity.
> (3) Efforts will be reviewed and supported, if appropriate, in requiring drug assessments on children who become involved in the juvenile justice system.

This sub-committee will provide the conduit between local communities and state government so that the resources available may be used wisely and without duplication and the primary expenditures of state funds may be for early recognition, intervention and education rather than after-the-fact treament and incarceration.

We will seek to have the "drinking age" raised to 21.

We will work toward elimination of "drugs are fun" or "do-drug" messages in the media, the marketplace, and in society as a whole.

The talents of sub-committee members will be used to write articles for publication.

We will contact Chambers of Commerce and other organized groups of ness and professional people for support.

American Bar Association

October 3, 1983

TO: Officers and Council Members

FROM: James P. O'Flarity, Chairman

RE: Resolution regarding Needs of Children

There is a move underway at long last to involve the organized Bar in a massive effort to recognize and define the needs of children, and to do all possible to see that those needs are met, not only in the legal sense, but every respect. This is certainly a worthwhile program with tremendous implications for the benefit of society as a whole. Of course our Section is already involved through various committees and programs which fall within the ambit of this drive, however I feel that we should make a more organized effort to coordinate and expand these activities.

This program has been initiated in Florida by the Honorable Hugh S. Glickstein, Judge of the Fourth District Court of Appeal who also serves on our Board of Governors of The Florida Bar. The Board of Governors has established a special committee for the needs of children which is very active in this area. Judge Glickstein has proposed a resolution to be submitted to the House of Delegates, and I enclose herewith a copy of that resolution. In order to be considered at the mid-winter meeting in Las Vegas, I believe that we should pass this resolution immediately. Therefore, I am calling for a mail vote of the Council, and request that you notify Lorraine West immediately, either by letter or by telephone of your vote approving the enclosed resolution. I would sincerely hope that we would have a unanimous vote very shortly and that we can place this matter on the agenda of the House of Delegates.

In accord with the foregoing, I am considering the appointment of a Task Force within the Section to address these problems. Please notify me directly of your thoughts regarding the desirability of a Task Force, and whether or not you would be willing to serve on such a group if appointed, and further suggestions for the membership and scope of the Task Force.

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Officers and Council Members
October 3, 1983

Page 2 -

We also have budgetary considerations to address, and I am giving thought to that aspect of it. However, it may be possible that we can work in conjunction with the National Legal Resource Center for Child Advocacy and Protection in this matter.

I have just appointed Lynne Z. Gold-Bikin, Esquire to a Child Support Task Force which has been formed by the Center to administer a recent federal grant which the Center has received in the area of child support.

By unanimous vote of the Officers at the last meeting, I will be serving as a member of the Advisory Board to the National Legal Resource Center for Child Advocacy and Protection for the coming year.

Thank you for your immediate response to the foregoing matters.

cc: The Honorable Hugh S. Glickstein ✓
The Honorable Wallace Riley, President
Howard Davidson, Esquire

RESOLUTION OF THE HOUSE OF DELEGATES
OF THE
AMERICAN BAR ASSOCIATION

BE IT RESOLVED, that the American Bar Association continues to recognize the priority to be given the well being of children and the relationship between that priority and societal efforts to eliminate crime, poverty and ignorance. Accordingly, attorneys should form appropriate committees within the National, State and local Bars to effect response to the needs of children by attention to the following:

1. Children and the Law
2. Constituency of Volunteers and Professionals to Effect Organized Response
3. Drug and Alcohol Abuse
4. Education
5. Family and Community Life
6. Health and Welfare
7. Juvenile Justice
8. Missing and Molested Children
9. Voluntary Services

American Bar Association

October 3, 1983

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[illegible] North Third Street, Suite 2007
Phoenix, Arizona 85004

Marsha B. Elser, Esquire
Suite 1100, New World Tower
100 North Biscayne Boulevard
Miami, FL 33132

Re: National Conference of State Family
Law Section Chairmen

Dear Hal and Marsha:

I would like to submit for the consideration of your Conference, a program which has been initiated in the State of Florida by the Honorable Hugh S. Glickstein, Judge of the Fourth District Court of Appeal and member of the Board of Governors of The Florida Bar. Judge Glickstein chairs a Florida Bar Special Committee for the Needs of Children, and has instituted a very active program in Florida. I enclose herewith a copy of the statement of purposes of the committee and its subcommittees.

I am certain that Marsha is familiar with Judge Glickstein's program, inasmuch as she is Chairman of the Family Law Section of The Florida Bar and I know that Judge Glickstein addressed the Council of the Section last Friday, although regrettably I had to miss his presentation as I was involved in a meeting of our Board of Certification, Designation and Advertising of which I am a member.

I believe that this program would be a very worthwhile task for your group to undertake, and I think that it is particularly suited to your purpose of working with the States in establishing worthwhile programs. Judge Glickstein has advised me that he will be available to address any group in the country on this topic, and has even advised that he will do so on his own nickel if no funding can be had to meet his expenses. However, I feel that Bar groups should

T. H. Guerin, Jr., Esquire
Marsha B. Elser, Esquire
October 3, 1933

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reimburse the actual expenses of outstanding speakers such as Judge Glickstein whenever they are able to secure them.

I also enclose for your information copies of a letter which I have just forwarded to the Officers and Council members of the Family Law Section.

Please keep me advised as to the progress of your group in contacting and organizing the State Chairpersons, and particularly your thoughts regarding the program which I have outlined above.

Cordially yours,

James P. O'Flarity
Chairman

JPO:lh
Enclosures
cc: The Honorable Hugh S. Glickstein
The Honorable Wallace Riley
Howard Davidson, Esquire
Mrs. Lorraine West

RALPH D. TURLINGTON
COMMISSIONER

STATE OF FLORIDA
DEPARTMENT OF EDUCATION
TALLAHASSEE 32301

TESTIMONY BEFORE THE SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL
UNITED STATES HOUSE OF REPRESENTATIVES
OCTOBER 12, 1983
WEST PALM BEACH, FLORIDA

Michael Tremor, Ph.D.
for
Ralph D. Turlington
Commissioner of Education

My name is Mike Tremor. I am the health education consultant for the Division of Public Schools in the Florida Department of Education. Commissioner Turlington expresses his regrets that he cannot be here, but a prior commitment prevents it. He has asked me to report to you on the status of drug abuse prevention education in Florida's public schools and to suggest some of the problems and possibilities of improving the effectiveness of schools in combating this most serious problem.

The best way to describe the situation in Florida is, perhaps, to say: There is good news and bad news about drug abuse prevention in Florida's schools. The bad news is that our young people are still doing drugs -- lots of kids; lots of drugs, just like everywhere else. The good news is that our kids do not seem to be doing more drugs than in other places, despite the fact that Florida continues to be a major point of importation and production of illicit drugs. There appears to be some leveling off of marijuana and cocaine use among young people and there does not seem to be as much interest in heroin as in some other parts of the country.

The good news is that Florida's Legislature has made some commitments to drug abuse prevention education in the schools. Florida's 1970 Drug Abuse Education Act was replaced in 1973 by the Comprehensive Health Education Act, which specifically recognizes the need for drug and alcohol abuse education.

The idea of comprehensive health education is that a total program to teach students all the things they need to protect and promote their health, in a coordinated and sequential manner, before they become crises, is the most effective approach. Since 1974, the Florida Legislature has appropriated an average of over $1,000,000 a year for local school districts to develop health education programs. Nutrition and drug abuse education are specifically mentioned as topics to be addressed at each educational level.

The bad news is that such a coordinated, comprehensive program is not always implemented in a systematic manner. For a number of years, Florida's educational system has operated under the philosophy of local control: that educational decisions are best made by those closest to the learner. Curriculum and instructional planning, design, and implementation are functions reserved to local school boards, district and school staffs. There was no mandated instruction from the state, including required drug abuse education for all students. There are no state curriculum guidelines for drug abuse education. While a number of Florida school districts, usually the larger, urban, well-staffed ones, and particularly in south Florida, have implemented excellent programs in drug abuse prevention, intervention and treatment, in too many districts such efforts are fragmented, haphazard and reach only a limited number of students for short periods of time.

The good news is that the Legislature has this year established statewide minimum graduation requirements, and these include, by 1987, one-half credit in life management skills to include nutrition, drug education, consumer education, cardiopulmonary resuscitation and hazards of smoking. This is a major step to assure that all students receive instruction in drug abuse prevention. Efforts are now underway to more precisely define the parameters of that course and to identify for school districts exemplar instructional resources to teach young people about drug use, misuse and abuse.

In spite of the Legislature's commitment to health and drug education, which came as a result of spirited advocacy by citizens, health professionals, educators and an informal but active coalition of interested agencies, health and drug education are not high priorities in Florida's school system. Emphasis on basic skills and traditional academics, particularly math, science and writing, have held the attention of educators. It is essential that these important educational needs of young people not overshadow the need to teach our children something about getting along with themselves and others, about building self confidence and esteem, about learning coping skills, to understand and tolerate differences among us and that there are better ways to deal with the fact that life can be very difficult than through self-destruction and escape.

In a survey in 1981, 84% of Florida school districts specifically mentioned providing some drug abuse education, usually in units in the elementary curriculum or integrated into subjects like health, science, home economics, social studies and others. Drug abuse is almost always a major part of health education. I do not believe that there are many students in Florida who are not receiving drug abuse information. How much and what kind varies infinitely. I would estimate a total of about thirteen weeks in thirteen years would be an average.

In some places, schools have initiated and implemented excellent drug abuse education. Local community treatment and prevention agencies and mental health centers have been an invaluable resource in providing advocacy, expertise and, in many cases, acutal classroom instruction. Parent organizations to promote drug abuse prevention, a movement started essentially in Georgia and Florida, have done much to impress school officials of the need to address this area and to become real constructive partners in the effort. At the state level, the Florida Alcohol and Drug Abuse Association provides training and serves as a clearinghouse of informational and instructional resources. It is beginning to provide, in conjunction with Florida Informed Parents, the Department of Health and Rehabilitative Services drug prevention office and the Department of Education, the leadership and technical assistance to provide more systematic instructional resources to school districts. The Florida Medical Association and its Auxilliary, the Florida Dental Association, the Florida PTA, health departments, and voluntary health agencies have also been important advocators and collaborators in health and drug abuse education.

Communities all over Florida are organizing for the "Chemical People" campaign this November. The result should be a new level of awareness, commitment and cooperation to combat this problem.

There is no shortage of instructional programs dealing with drug abuse. Indeed, the problem may be too many different resources -- some reliable and effective, some the personal project of ill-informed zealots. Resources for professionals and responsible citizens and educators to review and recommend those materials which are most reasonable are necessary. Resources are needed to make those reasonable materials available to the increasing number of teachers and citizens who are becoming aware and involved.

Public officials in Florida are becoming leading advocates in the war against drugs. The Governor, the Attorney General, the Commissioner of Education, other cabinet members, legislators, judicial and law enforcement officers are pointing out the need for a more systematic and significant effort in the schools and are beginning to organize resources for that effort.

As you well know, there are no easy answers to preventing drug abuse. There is no list of resources I can ask you for that would solve this problem. I think the most important thing our leaders can do is to make it clear to teachers, principals, superintendents, school board members and educators at all levels, as well as parents, citizens and students, that providing students with effective instruction to understand the consequences of drug abuse and to develop the skills to make wise decisions about protecting and promoting their health and well-being is of the highest importance. Funds are always needed to get things done, but I believe funding to promote collaboration, coordination and awareness at the national, state and local levels is more important than the development of new prevention models. Funds to support implementation of existing programs, not just for more research and development, are needed.

If we are really serious about drug abuse education in the schools, we need to do all we can to first get the attention of educators and then to make it as easy as possible for them to train teachers, buy instructional materials and schedule instructional time in a very crowded curriculum.

EFFECTS OF DRUG TRAFFICKING AND DRUG ABUSE IN THE SOUTH FLORIDA COMMUNITY

THURSDAY, OCTOBER 13, 1983

House of Representatives,
Select Committee on Narcotics Abuse and Control,
West Palm Beach, Fla.

The committee met, pursuant to call, at 9:30 a.m., in city hall, West Palm Beach, Fla., Hon. Lawrence J. Smith presiding.

Present: Representatives Lawrence J. Smith, Benjamin A. Gilman, Tom Lewis, and Edward F. Feighan.

Staff present: John T. Cusack, chief of staff; Richard B. Lowe III, chief counsel; Elliott A. Brown, minority staff director; and Edward H. Jurith, counsel.

Mr. Smith. We are going to open this morning's hearings.

I would like to thank you all for being here this morning. I would like to welcome you as well.

We had a very, very interesting, informative, and I think quite a frank exchange with many of the witnesses yesterday. It was quite a good day as far as the members of the panel are concerned. And we appreciate the concern of those who have testified and those who are going to testify today.

We are, as you know, a select committee. The members of this committee are made up of people, both Republicans and Democrats, whose main concern is the problem of drugs, narcotics abuse, narcotics interdiction, narcotics control in the United States. We are not so concerned about partisanship as we are about solving the problems relating to that area. So the people on this committee are really dedicated to doing whatever needs to be done.

We want to hear from you as you testify your ideas about what you think can be done, and we would appreciate your giving us good, frank answers to our questions.

I am pleased this morning to be able to say that this hearing will continue until approximately 1, and then we will be adjourning. Some of us will be continuing on into Fort Lauderdale.

Tomorrow the Crime Subcommittee will be holding hearings as well on an issue relating to drugs, and that is the issue of contraband seizures and forfeiture seizures. Those of you that are interested are invited to attend there as well. We do not intend to allow any phase of this whole area to go unseen or unreviewed.

Most of what we said yesterday individually and most of what the witnesses said I think generally covers our concerns about the area.

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The select committee will be at some point in time urging the authorizing committees that have jurisdiction over substantive legislation to give severe review of possible legislation regarding some of the things that can be done to alleviate the problem. Certainly we heard yesterday that one of the things, even though some people are hesitant to say it, that is a major problem for us is the lack of resources, lack of manpower, and the lack of dollars against what is an ever-growing tide of drug trafficking and against what is an ever-growing increase in the kinds of equipment and personnel that are being used by the drug smugglers.

Certainly one of the major problems is the problem of the source countries, those places where the drugs are grown and where we have at this moment it appears little or no real ability to motivate those source countries to cooperate fully with us to eradicate the crops or substitute crops for the crops that are being grown. Those crops in that area obviously produce great amounts of revenue which they feel would be very difficult to cut off because they have their own problems as they claim with the residents of those areas in those foreign countries.

This committee made a trip to South America this past August which I was unable to attend. I think the committee was both enlightened, frustrated, and disappointed by the apparent increase of growth of drug crops in source countries. Certainly we are also concerned about the transshipment of drugs coming into this country from source countries through other countries where those countries are close enough to this country so that it is extremely easy for those drugs to be brought in on a planned basis, late at night.

Many of you know the exact ways they do it, while storing those drugs in those areas until they can formulate their plans. This is a problem we are always going to have to look at.

I do appreciate all of you being here today. We are very concerned in Washington about this problem, as you are at the local level. Many of us, like myself and some others, certainly Congressman Lewis, we are from this area, we know what the problems are. We have been working on trying to correct some of the problems for years. It is a difficult fight.

We appreciate the presence of the witnesses here today.

At this time I would like to recognize the members of the committee and ask them if they have any opening statements.

The ranking minority member is Congressman Ben Gilman from New York.

Mr. GILMAN. Thank you, Mr. Chairman.

I want to welcome our panelists here with us this morning. We had some excellent witnesses in the course of this 2 days of hearings.

I again want to thank Congressman Lewis and his staff for helping us to make arrangements and to bringing the committee to West Palm Beach in order to focus attention on the needs of this region.

I think that our hearings to date here in the West Palm Beach area once again focus and underscore the need for more effective cooperation and coordination amongst various agencies, the need for greater resource commitment by way of manpower and budgeting for various agencies, the need for a more extensive education program.

I was distressed yesterday to find that even the State Department of Education of the State of Florida had not been doing what we had hoped it would be doing in bringing about a good sound curriculum and mandating that kind of a program for its school districts.

We have also found that there is a greater need for eradication, and I think we are all aware of that on the select committee, and yesterday's hearings once again stressed how important it is.

I think yesterday's hearings, too, demonstrated how the honest citizens of a small community can be tempted into lawlessness by the extensive amount of profits that are derived from the trafficking of narcotics, and how this corrosive effect is even affecting our American communities just as it is affecting many of our foreign governments.

I am certain that our testimony at this hearing is going to be extremely beneficial to the work of our select committee as we proceed to try to strengthen our nation's combat team in conducting what is truly a war against narcotics. We look forward to the testimony from our panelists this morning.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Gilman.

Let me thank on behalf of the select committee and the chairman, who is not able to be with us today, the city of West Palm Beach, and the staff of the city for their hospitality and their helpfulness in making these hearings as successful as they were and allowing us the use of their facilities. We appreciate it.

I hope that the city manager here with us conveys our thanks to the mayor and the city commissioners.

Let me introduce Congressman Ed Feighan from Ohio, chairing the narcotics task force on the Foreign Affairs Committee and the Judiciary Committee.

Mr. FEIGHAN. Thank you very much, Mr. Chairman.

Let me also express my appreciation, particularly to Congressman Tom Lewis, for helping put together such an outstanding grouping of people to testify over the past 2 days.

I think this opportunity to have these onsite hearings in West Palm Beach really gives the opportunity for a member such as myself to see the dramatic impact of drug trafficking an the criminal justice system, the educational system, and the lifestyle in this part of the country.

I think that it is clear from the testimony that we received yesterday, and I would expect that would be underscored even more so this morning, that we finding ourselves with a lack of adequate resources to combat the trafficking of narcotics; that the agencies that are charged with the responsibility for enforcement are in most instances underfunded and understaffed. And I think if there is no better message that we can return to Washington with, it is that those agencies need much more than just moral support, they need much more financial assistance.

I hope we are able to persuade our colleagues to give that kind of assistance so that those agencies can meet their responsibilities.

Thank you.

Mr. SMITH. Thank you.

I would like now to introduce the Congressman who is the host Congressman for these hearings. I echo the sentiments of my colleagues. We do appreciate the fine work he did in putting these hearings together with the staff of the committee.

I think people sometimes hear from people less involved. Yesterday we heard from people right there in the trenches fighting the war. I think that was extremely appropriate. The testimony of the chief of police from Mangonia Park, who last week had a Dodge City shootout—those people and the mayor of Everglades City are, I think, very helpful to those of us on this side of the table to understand the effect of drugs right down at the level where the drugs are intended to be put by the drug smugglers.

I think it was extremely intelligent of Congressman Lewis for having those kinds of witnesses here.

Let me thank you, Tom. If you have any opening remarks, we would be happy to hear from you.

Mr. LEWIS. Thank you, Mr. Chairman.

Yesterday was a productive day, I believe, for this committee. We heard from the Federal level, we heard from the local law enforcement, and we heard from those citizens who are actively in the trenches fighting drug abuse in their communities.

We also were made acutely aware of the lack of vital communication between the federal agencies involved in the South Florida Task Force and our local agencies in law enforcement.

The seriousness of this problem demands our immediate attention. Under the direction of the chairman, Charles Rangel, I will be holding a conference here in south Florida with all of the law enforcement officers in south Florida to establish channels of communication so that we together can successfully wage war on drug smuggling and drug traffic. I want to thank all the members of the committee for taking time to come to West Palm Beach to hold a Washington hearing and bring Washington to the people. That is what this is all about.

I certainly hope that in some way we may have set an example to an extent for other committees made up of our colleagues in Washington to do likewise in their districts. I believe this is what representation is all about.

Also at this time, with your indulgence, Mr. Chairman, I would like to call on my good friend, Mr. Dick Simmons, the city manager of West Palm Beach, who would like to make an award, and also thank Dick for his hospitality and the use of these fine chambers as well as the other facilities in West Palm Beach.

Mr. SIMMONS. Let me welcome you here. It is not often we have distinguished guests like you in our community. I think it is appropriate, most of you do not know, but this building would not have been accomplished if it had not been for a Federal economic development grant. We appreciate it.

I know you are busy, but I think you should know a little about the history of this area. The palms all came from a runner of material that is not native to Florida. Some years ago a ship ran aground here with coconuts. There are two stories—one is that it was salvaged and one that it was purchased. All the coconut palms you see on this part of Florida all came from the ship *Providencio*.

We have a native of this area who makes hats out of the coconut palm. He brought these in to us. I only have two; I wish I had more. He told me they were excellent for fishing because you can put them on and, as you come up from the bushes—it appeared to me since you are hunting drugs in south Florida, if you wear these coconut hats they would be most appropriate for you, and they would not recognize who you were.

Mr. Gilman, let me welcome you and give you a hat. Thank you for coming. We appreciate what you are doing.

Drugs are a major problem down here. The fact that you come down and find out from our people gives us a great deal of confidence in our Congress.

Mr. Smith. Thank you very much.

At this time we would like to begin the first panel. Our two participants today are good friends of mine, Mr. Armando Codina, a resident of Dade County, cochairman of the Federal Committee of Miami Citizens Against Crime. And with him is Adm. Van T. Edsall (retired), Navy, who is the executive director of the Miami Citizens Against Crime, one of the, I think, major influential forces in having the South Florida Task Force come to Florida, and also one of the forces that has been working to keep Dade County and the whole of south Florida as a growing community and a community that is to be looked at as some place where people really want to live, to come to live and to stay, as an influence, rather than a place torn apart by drugs.

We appreciate your being here today and all the work that you have put in so far, and all the work you are going to continue to do for many years.

At this time, Mr. Codina, I would like to introduce you and allow you to give your statement. We have your full statement which will be entered without objection in the record. If you would like to summarize your statement, we would appreciate it.

TESTIMONY OF ARMANDO CODINA, MIAMI CITIZENS AGAINST CRIME

Mr. Codina. Thank you, Chairman Smith and members of the committee.

We appreciate the invitation to come here and testify and give you a citizen's view of the drug-related crime in our area.

I am sorry I missed the session you had yesterday.

I am here today as a member of MCAC. I am fortunate to have with me Admiral Edsall, who, as you mentioned, is our executive director. We have been in the business of fighting crime for approximately 23 months.

I would like to give you a little bit of history of MCAC if I may. In order to begin that, I should tell you a little bit of what we were going through 2 years ago in our city.

Two years ago Miami was a city under siege. Crime was rampant. The effects of the drug traffic were devastating and a major contributor to violent as well as petty crime and terrifying to the public. It generated crime in all areas and levels, and threatened our society and economy; progress and social well-being were threatened. The unbelievable profits of the trade provided enormous power to corrupt our system.

Our problem was further compounded by the Mariel boat lift in 1980. Our community felt helpless. The problem was beyond our ability in local government to cope with.

On December 29, 1981, four leaders of our organization, including myself, traveled to Washington and spoke to Vice President Bush and with Presidential Adviser Ed Meese. We outlined the problem of our community and urgently requested more vigorous Federal protection of our borders.

On February 5, 1982, President Reagan announced formation of the South Florida Federal Task Force. On February 16, Vice President Bush was personally here to publicly announce details of the Federal task force undertakings and its specific goals. He returned again on March 16 to provide an extremely encouraging report on actions being taken to get the Federal task force funds underway and ancillary moves to strengthen the Federal criminal justice system in south Florida.

These beginnings were tremendously important to our community. The demonstrated commitment of the Federal Government brought a great lift in our spirits when badly needed. It provided the impetus for a new and determined effort to get rid of the area crime. Therefore, MCAC was formed.

I would like to tell you a little bit about what MCAC is all about. It was founded in November 1981 by five institutions in Miami: The Greater Miami Chamber of Commerce, the Miami Dade Chamber of Commerce, which is primarily our black businessmen; the Latin Chamber of Commerce; the Citizens Crime Commission of Greater Miami; and the Orange Bowl Committee.

We have over 190 active members, and we have over 150 sponsors. Those sponsors include NAACP, AFL-CIO, League of Women Voters, the Rabbinical Association, Catholic Archdiocese, the Lions Club, and Kiwanis. This is by far the strongest coalition that has ever been put together in this State.

We formed several committees. The Federal committee was responsibile for providing liaison with the newly formed task force. We also formed a State committee and several others.

We were the prime movers behind the passage of an additional penny sales tax in Florida, at a time when additional taxing was less than popular in our area—we were unable to even pass a tax to build a stadium. We were also instrumental in State actions that provided new judges, prosecutors, public defenders, and prison space.

At the local level we have dealt with over 27 municipalities in increasing the number of sworn officers, and got behind the passage of a $200 billion bond issue to build new criminal justice system facilities.

We have a religious heritage committee and a citizenship committee to raise the consciousness of our citizens, emphasizing that if they were not part of the solution, they were in fact part of the problem—we could not have automobile dealers accepting illicit cash for the sale of automobiles, real estate agents selling homes for large amounts of illicit cash, et cetera. We encouraged the introduction of character education and substance education programs in our school system that has been very successful in our area.

The so-called Miami drug problem, as it is often referred to in the press, is really not a Miami problem but it is, rather, a national tragedy. We in south Florida, because of the gift of our geography, are the recipient of a large amount of the problem. But the problem of course exists in every part of the country.

I would like to have Admiral Edsall give you a little bit of the history of the 15 months since the task force started work here, what it has meant to us as MCAC, and then provide you with a recap of our thoughts.

TESTIMONY OF ADM. VAN T. EDSALL, U.S. NAVY (RETIRED), EXECUTIVE DIRECTOR, MIAMI CITIZENS AGAINST CRIME

Admiral **Edsall**. Gentlemen of the committee, I am a retired rear admiral in the U.S. Navy. I retired 3 years ago and came to south Florida, where my wife's family lives, in hopes of getting some rest and living in the beautiful community that is south Florida. Unfortunately, when I arrived here 3 years ago, the crime situation was almost incredible in terms of its effect on the morale of the citizens of this area.

As a matter of fact, in early 1981 there was a poll run locally which asked the question that went something like this: Do you consider the crime situation in Dade County so bad that you are thinking about moving out? Approximately 38 percent of the people voted yes to that question.

Fortunately, 2 years later, in February 1983, the same poll was run again, the same question, and 9 percent answered yes. So that speaks loudly about what the situation was and the changes that have taken place since.

I could have done two things when I arrived here: One, move out and go away, because I am used to moving in the Navy; or I could stay and try to help solve the problem, which I have done. And that has been a great honor for me to be able to do that.

What I want to do is just talk about three things: Our lessons learned from the task force's work since its beginning, the situation as it is now, and a few items which I believe need some special attention.

No. 1, such a task force needs and we believe has had top-level backing; that means from the Congress, from the administration, and from the citizens. If it doesn't have that, it is not going to function properly, and that backing is essential, wherever you undertake something similar.

It is absolutely necessary that there be a long-term commitment. There were many people in our community when the Federal task force was first established who said, OK, you guys have come down here before and you rounded up a few people and you make a lot of noise and then you go away and the problem stays the same.

Fortunately, that has not occurred with the South Florida Federal Task Force. They started with temporary personnel. They have since converted to permanent personnel. And I believe the community believes that the commitment is there. But that must be understood or you are not going to get the local and the State cooperation that is so essential.

As Mr. Codina has stated, there must be nationwide emphasis on the problem. I believe, and our community believes, that the expansion into the 12-region organization dealing with organized crime and drug-related crime throughout the country, and the national narcotics border interdiction system with its 6-region efforts at interdiction offshore, those are absolutely vital, must be strengthened and must be continued, because the problem is not a Miami problem, nor a south Florida problem. We certainly don't gain any pleasure from seeing the problem pushed from south Florida to Galveston or the gulf or the west coast or further north. We want it stopped throughout the country. And those efforts to establish the other regional forces are essential. And your help in strengthening them will be vital as they move out.

Military participation has been key, I believe, in two ways: One, the military participation brings to bear equipment and resources and training that just otherwise would not be available. I am sure as a former naval officer that the defense establishment does some of that with some trepidation in terms of effect on its fundamental mission. That seems obvious to me as a Navy person.

But this war is so important to our country that we have to bring to bear all the resources we have. We cannot deal with this problem as if it is just something else happening. It is eating at the frame of our society. So even as a naval officer I must say that getting the military in the act and bringing to bear a reasonable portion of their resources is vital.

The second thing that it does is that it demonstrates to the country and to the citizens that you are determined to deal with the problem. Bringing in the military has been an important morale factor in terms of citizenship attitudes toward this struggle.

You must deal with the problem in terms of the entire criminal justice system. If you are going to have more forces apprehending drug smugglers and organized crime people dealing in drug smuggling, then you must have the commensurate judges, defenders, U.S. attorneys, and so forth, to get them through the justice system. It does no good to apprehend them if you are just creating court backlog.

As a matter of fact, in south Florida, and perhaps in other parts of the country, we have a very serious problem of shortage of U.S. judges at the moment. And that U.S. judgeship problem has been tied up in the Congress for at least 2 years now and probably more than that—I realize I am telling you gentlemen things that you know better than I—but that is the citizens' view down here. We need more Federal judges in south Florida now. And if you need to set aside the bankruptcy court problems that seem to be impeding that, then do so.

Liaison with the community. It is very important as the work of the task forces throughout the country move on, as they have in south Florida, that the community knows what they are doing from day to day within the confines of confidentiality, that the community be behind them, enthused about what they are doing. And that was one of the main functions of our organization, to be sure that the citizenry of Dade County and south Florida knew what the Federal task force was doing, why it was there, and what kind of progress it was making.

What is the situation now in terms of what the Federal task force has undertaken and what progress has been made.

Well, the main thing you hear these days is the product is still available on the street and it is still available at prices that are indeed even going down in some cases. Some people are trying to typify that as a complete failure of the task force effort. I really don't see it that way, and I think it is quite unfair.

What it says to me is that the problem is so serious that any short-term expectations are foolish. This is a battle that must go on for years and years, as long as it takes to get it under control.

The fact that in south Florida seizures are dramatically up, the distribution system and organization of the drug trafficking has been seriously disrupted, firearm violence in our part of the State has dramatically decreased, are all derivative of the efforts of the task force, and important pluses.

The fact that the product is still on the street is certainly dismaying, but it is not a function of the failure of the Federal task force. It is the function of things like dramatically increasing production in Colombia where they didn't even grow the plant for cocaine until planting 3 years ago, and that crop is just coming on line this year; and a tremendous increase in production in Bolivia and other countries in the Caribbean littoral. That production is overwhelming.

Probably the greatest thing the Federal task force in south Florida has done for us is that it gave the citizens some hope that finally something was being done. And that hope was important. It turned around attitudes detrimental to our society, to our economy and, probably more important, it gave us the impetus to deal with our own problems.

The Federal Government doesn't have the responsibility for all the crime situation in south Florida by any means. We needed to do things at the State level, we needed to do things at the county and the municipality level, and we have done those to a great extent because of the leadership of you, the Congress, and the Federal Government in pointing the way.

Now, there are four or five things that I think need some dramatically increased attention. All of them you know, and several you have mentioned already.

First, we must stop the stuff at the source. We know who is producing it, you know who is producing it, you know who is in the distribution business south of us. There aren't any secrets really about that huge empire that is striving daily to get us more of the product. We need to deal with that.

Our Government has routine economic and political intercourse with most if not all of those countries. We need to bring to bear all the leverage we can to stop it.

Now, the next point I want to make is that there are some very serious impediments to what I just said, and I think one of the most important is domestic production. The domestic production of marihuana is dramatically increasing. It is being done in Florida, it is being done in California, it is being done in New Mexico, it is being done all over the country. And it is increasing.

In the meantime, the efforts to stop that seem to be tied up in the courts while we are debating whether paraquat is the right substance to deal with it or not, or whether we are stepping on somebody's rights to grow marihuana plants, and all those things. Baloney, we need to stop domestic production now, for two reasons: One, it is a not an insignificant part of the total supply. It is no longer just a little nuisance. It is a big part of the supply.

But second, every time one of our State Department people goes to one of the countries that is south of us who are engaged in the offshore production and say, hey, you guys have to stop sending it to us, a lot of them very rightly say, "Gee, why should we stop if you guys can't even stop doing it in your own back yard."

So that has to be dealt with.

Next, particular involvement of the Cuban Government, and many of its high-level officials, is the third thing I think must be dealt with very emphatically, very openly, and the facts must be laid bare to the public. I am not sure that has occurred, although there has been no secret about it. But there is ample evidence that high-level officials in the Cuban Government are involved in fostering the distribution of drugs to the United States.

Unlike the other countries south of us who are mainly involved in it because the people there are dependent upon it to some extent for their economic livelihood, the Castro government is involved in it because they are deliberately trying to devastate our society, and they are using the proceeds to carry on other nefarious undertakings.

I have already spoken to balance in the criminal justice system. That is to say again, that not only must you address those things that the administration or the executive branch of Government can do, you must deal with the other portions of the criminal justice system. You must insure there are sufficient judges, courts, et cetera, to deal with the problem.

Mr. SMITH. Admiral, I do want to leave time for the members of the panel to ask questions if they have any. If you can just finish up so that we can allow the interchange.

Admiral EDSALL. The last point I wanted to make is, after all is said and done the real problem is demand, not supply.

Our country must take more forceful efforts to do something about that. In our community, Congressman Gilman, we have in our school system, in Dade County, a program called the safe schools program, which was expanded statewide this year by the State legislature, which has character education included in it, and substance education, mandatory throughout the Dade County School System. And that is where we really have to go at it, in education of the children and young people, to cut off the demand.

Mr. SMITH. Mr. Codina.

Mr. CODINA. I will be very brief. I read you part of what we have already included in the written testimony. And I would urge you, if you have an opportunity, to go through that testimony.

Let me tell you why we are here.

Miami is important to you because we are the source of the problem in many instances, and we are trying to do something about it. But are not an isolated problem sitting out there in south Florida. We are the source of the problem because of the gift of our geography. And we are trying to say to the rest of the country that we are trying to be part of the solution rather than the source of the problem. And we are making progress.

We feel that the task force has been very helpful and has had an impact in our community. I gave you the perception of it, and perception sometimes is even more important than reality. The perception of our citizens is that for the first time we have an opportunity to fight back and to have an impact.

Now, that impact would only be limited had we not had the help of the Federal Government. There is very little Dade County can do about protecting our borders. We had the Mariel boat lift. We have the same problem in the protection of our border as far as drugs. But we are willing to do our part, as evidenced by our own State and local efforts.

We are undertaking this year for the first time an effort to contact all of the members of some of the sponsors that I mentioned to you before, and we are going to try to have an impact on legislation that we hope will assist in the war against crime and drugs.

We understand that there is currently somewhat of a problem of displacement of drug traffic to other parts of the country. But it is important that we continue to focus our major resources where the battle is taking place, and that battle is taking place in south Florida. Even today when some of these drugs have been displaced to other parts of the country, the exchange of dollars and the consummating of the transactions are still being done here.

MCAC is important to this country because it is a citizens' effort. Only in the United States of America can you have an effort such as MCAC come out the grassroots and have the impact that we have had.

I can tell you in my own case, I came here 20 years ago as an unaccompanied refugee child 12 years old. I went to camp for unaccompanied children run by the U.S. Government, and from there to an orphanage and a foster home of a family. If I live here 100 years I could not repay what this country has done for me.

MCAC has been a way for me to become involved in trying to put a down payment on that debt. And south Florida wants to be part of the solution, and we are going to continue to work hard.

Thank you.

[The prepared statement of Mr. Codina appears on p. 293.]

Mr. SMITH. Thank you very much. I appreciate the testimony of both of you.

Just let me tell the panel, what Mr. Codina and Admiral Van Edsall have said is not something that they fancy that they might be able to do. They are in fact very responsible. I was one of the people they came to visit in Tallahassee, and we were able to get together on many issues. They in fact did a lot of the things they said they did. They were a catalyst for many of the changes in the law.

I think it is extremely important people realize that if a community stands together and people in the community believe that they can have an impact and make some headway, that can happen. And your group is an example of how that can be done.

My own feeling is that you are owed a great deal of personal thanks from the community of south Florida.

Let me ask you two things.

In your close contact with the South Florida Federal Task Force, have you found—of course as you realize cocaine is in greater abundance on the streets than it was before, and we realize why that is so while the task force is still doing its job—they still have a lack of resources, that they could use much more in the way of manpower, and do you find there is a possibility that it ought to be directed from a single source and that all of the strategy could be probably better made by one single source agency in the country fighting drugs?

Mr. CODINA. There is no question from everything we hear, that there continues to be an oversupply of drugs. I don't think you can use that as a measurement of the success of the task force in any way. There is no question that the task force is outmanned, outspent, and outmaneuvered by the drug forces. There is no question that we need more resources to try to have a major impact on the drug problem. And we continue to be short handed and will continue until more resources are focused on the problem.

Mr. SMITH. The second thing is, Admiral, with regard to the school programs—what is your opinion of having the Federal Government through the Federal Department of Education supply additional moneys through the existing offices now, funding additional programs for drug abuse programs and drug prevention programs, drug information programs in the school systems of the United States?

Admiral EDSALL. I think that would be great. Whether or not it needs to come from the Federal Government is not as important as it needs to come. That is to say that we need to have substance education throughout our school system, throughout the United States, whatever it takes to do that.

Mr. SMITH. Thank you.

Congressman Gilman.

Mr. GILMAN. Thank you.

Admiral, I was pleased to hear you focus attention on the demand, the need for more education and reducing the demand.

Yesterday I at least was surprised to learn that the State of Florida did not have any mandate in its State education department with regard to formulating a curriculum for antidrug abuse.

I would hope that your citizens group could help focus some attention on the need to develop a statewide educational effort, since you are concerned about it, since you are involved in it, since our own county has been dong such a good job. There is an obvious need nationwide for more education amongst our youth and citizens. I think your group could certainly help put some pressure on the State to bring that about.

The $1 million that is being spent for drug education by the State government—there is no mandate or guidance being given to the school districts on the need for a strong curriculum on antidrug abuse.

Admiral EDSALL. Your point is very well made. This year's State legislature put $20 million into what is called the safe schools program, which was modeled after Dade County. But as you point out, unfortunately the legislation doesn't specify what the content of that, quote, safe schools program has to be. And it is obvious, as you say, that it needs to have as its essential underpinning substance education. We will certainly help get that done.

Mr. GILMAN. We had the commissioner of education, the assistant secretary, here yesterday. It was obvious that there just isn't a statewide mandated program, and I hope you can help fill that vacuum.

I want to commend you for your private sector efforts. However, I am wondering what you are doing to get the average citizen involved in doing some things about self-education and getting the community involved. We are finding that parent groups are a very effective vehicle for education. What is your group doing to help stimulate that kind of activity?

Admiral EDSALL. Let me respond in the following way, sir.

In Dade County there is an organization that has been in existence for about a year now called informed Families of Dade County, whose purpose is to educate all of the families of teenage children about the substance problem and how to band together to deal with it. They are working through the school system and all of the parent-teachers associations in the county and having town hall meetings. We are helping them and are allied with them. And I believe that is going to be a very important way of getting both families and children involved in the solution as well as the problem.

We have from the beginning had a citizenship committee which has dealt with problems that you are specifying—how to get the citizens involved, how to get them volunteering for various voluntary kinds of programs that assist police, assist victims, assist the substance education institutions in the county. We have a very intensive undertaking in that regard.

Mr. GILMAN. It is encouraging to hear you say that. I hope you could broaden that effort. That certainly is extremely important.

Has your group, Mr. Codina, done anything by way of distributing any literature with regard to antidrug abuse?

Mr. CODINA. We supported several groups such as the one that Admiral Edsall mentioned. We originally got involved in the business of fighting crime to deal with the surge in crime that was besieging our community. We have been involved more so with that than with the root of the problem. We recognize, however, that a lot needs to be done in that regard. Many of our members work in different organizations. But MCAC was founded primarily to deal with the surge in crime.

Mr. GILMAN. But demand of course is such an important aspect of the whole drug crime picture, that it seems to me your attention could be properly focused in that area at the same time that you are trying to reduce the surge of narcotics-related crime.

Admiral EDSALL. That is why we have allied ourselves with other organizations such as Informed Families, in order to help them carry out that side of the picture.

Mr. GILMAN. In his testimony Mr. Edsall pointed to the need for a balanced judicial system. What have you been doing to try to help reduce the caseload in your own area? Do you have a committee working with the courts? Have you looked into what can be done in the local courts to expedite the handling of this caseload?

Have you looked to the prison system, whether it is overcrowded or not, and what you can do to alleviate that problem?

Mr. CODINA. One of the most frustrating portions of all of the areas that we have been involved in has been the area of the prisons. Yes, we have worked on that problem and were instrumental in passing in Dade county a $200 million bond issue needed to build the facilities we needed. We have a special committee working on courts and prisons.

We had a serious problem in Dade County in court caseloads. That problem stemmed from lack of judges, prosecutors, defenders, and facilities. Each has been addressed, with substantial results. But a good deal remains to be done.

Admiral EDSALL. Let me comment if I may.

Mr. Codina mentioned the additional penny sales tax that was passed by the legislature one year past. That generated some $700 million statewide, half of which was to go to local community government, half to remain with the State. Its principal use was to be strengthening of the criminal justice system throughout, and some property tax relief.

That money at the State level yielded significantly more judges, State attorneys, public defenders, and new prison construction throughout the State. That was a very significant undertaking in our first months of existence, because we were taught that lesson very quickly, that it doesn't do you any good to apprehend more criminals if you cannot put them before a judge and get them an attorney and have a jail for them. We have worked very hard on that side of the problem.

Mr. GILMAN. Has the prison overcrowding been alleviated here in south Florida?

Admiral EDSALL. Florida prisons and jails are about like they are in the whole country, and that is under court orders to reduce numbers. We cannot deny that. But we have made progress, starting the construction that will alleviate that problem.

We have also established in the State of Florida this year sentencing guidelines which will deal with alternative sentencing procedures that will help alleviate the problem. The progress is underway.

Are our prisons still overcrowded? Yes—just like they are in the rest of the country.

Mr. GILMAN. Thank you.

Mr. SMITH. Congressman Feighan.

Mr. FEIGHAN. Thank you, Mr. Chairman.

Mr. Codina, what would you say is the public perception of south Florida, if not the actual effectiveness of the courts and the criminal justice system generally to deal with the drug-related crimes and their prosecution?

Mr. CODINA. I would say that the perception has improved somewhat recently—since some of these changes have begun to take effect. But in general I would say that the perception is one of the system being too lax about the prosecution of drug offenders.

Mr. FEIGHAN. Would that perception also include the sense that there are not sufficient resources locally?

Mr. **Codina**. Yes; particularly when you are looking at an area where we are a port of entry, and the perception is that there is definitely not enough resources to deal with the problem.

Mr. **Smith**. Just as an aside—the city of Miami has probably the single largest portion of any major budget in the United States for a city set-aside for police and fire.

Mr. Codina and the admiral and many people in this area suffered from the perceptions from all the magazine articles, "60 Minutes," "20-20," and Time magazine. That was one of the problems. Even the people there believed it after a while.

Mr. **Feighan**. Admiral, you spoke in very supportive tones for the organized crime enforcement program. However, the administration has not requested additional funding for its organized crime, drug enforcement task force.

How do we begin to mobilize the kind of support that we need in Congress and the public at large to urge the administration to increase funding for both of those, which I assume you will agree is necessary, for both of those important efforts?

Admiral **Edsall**. Well, I certainly cannot speak to the total Federal budget. Perhaps I am just repeating the obvious. They need the resources to attack the problem nationally. I don't know what that figure is. Obviously it is more than zero. We need to come up with that money—either by redirecting some other portion of the budget or increasing the budget. But the bottom line is there. We need the resources to do it.

Mr. **Feighan**. As was Congressman Gilman, I was particularly struck by your views, we have to really address the problem of demand instead of focusing entirely on the supply. Yet we find ourselves so frustrated in prevention and treatment programs. That must be a constant source of frustration to you and your organization.

Admiral **Edsall**. Certainly prevention and treatment are important and need to be properly resourced. Quite frankly, I think more important, though, is attitudinal changes that have to take place in the school systems at an early age. The children are beginning to use drugs now on the average at 11—age 11. That is where we need to put all the resources we can.

What bothers me a lot is that in any community, I am sure ours is no different than the rest of the country, there are dozens of drug prevention, drug treatment, drug this, drug that, there are dozens and dozens, just in Dade County alone. But there is no concerted unified attack on the problem that I can perceive in most places. That is what we are trying to mount. Right now it is a very splintered effort.

Mr. **Feighan**. Thank you. I think you are to be highly commended for the work you are doing. I think it is an invaluable supplement to any Federal or State assistance.

Mr. **Smith**. Congressman Lewis.

Mr. **Lewis**. Thank you, Mr. Chairman.

Mr. Codina, how would you evaluate the impact your organization has had in Miami on the economic, political, and social system?

Mr. **Codina**. That is a big question.

MCAC has had a major impact, as I mentioned before, on the perception of the people, which is very important. I feel very close to Miami, and I feel very much a part of the community.

I remember not long ago, about 2 years ago, coming home after they had a middle of the afternoon machine-gunning incident in one of our shopping centers, Dadeland. My wife said to me, maybe we have to think about moving someplace else—I have three girls—and that drove the point home to me, we really needed to get involved.

MCAC has had a major impact on how people in Miami perceive Miami and what we are doing to help ourselves. And it has had an impact in a number of other areas. It also had an impact in economics, for example in raising the consciousness of our bankers relative to the problem of accepting large cash deposits.

We have moved a good deal of the cash transactions taking place with the auto dealers, real estate brokers. As a matter of fact, if you look at the report of the Federal Reserve on the cash surplus that used to exist in Miami—there was a tremendous surplus in that regional office of cash, due primarily to Miami—you will see that the surplus has been reduced considerably since we have put into effect a lot of mechanisms to try to not only raise the consciousness of our citizens, but also of our bankers.

I think MCAC has had an impact in the perception, and a real impact.

Mr. **Lewis**. Let me ask you both to comment.

We have on this select committee, which is really the only link the public has with Congress, 25 members from various parts of the country. We all serve on different standing committees, but we serve on this additional committee because we believe in what we are doing, and we want to do something about this terrible problem that we have with drugs in the United States.

In your dealings with the public, I want to know how you get them to give you a commitment. I myself have talked to a number of groups. I talked to one in Washington just a week ago. For all of us at times it is very discouraging.

We heard yesterday from a gentleman who has an excellent rehabilitation program. He gets one parent one night, three parents another night. We discussed this problem of low attendance with these people, and we found that Monday and Thursday night football games are more important to these parents. They want to watch TV instead, while their kids are smoking pot, sniffing cocaine, and mainlining heroin.

How do you get a commitment from the public, and how are you working at it so that we can eradicate this problem in the United States? Just how are you approaching this with the people in Miami, who are more directly affected than anybody else in the United States?

Admiral **Edsall**. The principal way that the Informed Families organization that I have spoken about is coming at the problem is that parents of teenagers or slightly younger children who live in the same neighborhood and who have mutual friends are grouping together in small units with some guidance from the organization called Informed Families and they are setting mutual guidelines so that when Johnny comes home and says, well, Susie gets to stay out until 2 o'clock, so why do I have to come in at 11:30, or Susie's parents condone drinking, and all of those kind of cross-purpose wirings you get that teenagers will use on you, Informed Families is encouraging those parents to get together, draw up a mutual set of rules, know where their children are all the time, know who their friends are.

We have brought to town the Students Against Driving Drunk organization, which is another national organization, and we are allied with them. They have a deal that is very interesting in which the parent and the child sign a contract literally where the child says, if I am out somewhere and my date or myself get intoxicated and I must drive home, I will call you so you can come and get me, and the parent in the contract says, if you call me under those circumstances, I will come get you and I won't hassle you about how it happened.

You have to get down to the very detailed specifics. It is not enough to just preach about it or cajole people. You have to get down to some very specific things, which Informed Families is doing.

Mr. CODINA. Let me give you an illustration of something they are doing that I think is significant.

We had a recent case with one of our major hotel chains that opened in Miami. Following a high school party they found some of the kids had been served alcohol. Informed Families undertook not only to visit the manager, but to write the president of the chain, to let him know that they had served alcohol to some minors. And it has had a profound effect on several managers, not only of the chain but certainly the one particular one in Miami—I don't want to refer to—and it has had an impact on how a lot of the bartenders and a lot of the managers view serving alcohol to minors.

They have a film that I would recommend to you strongly if you have not seen it. It is entitled "Epidemic." It is a very short film, 20 minutes, and it is a very, very good film that they are showing around Dade County, that if you have an opportunity I would encourage you to find out a little more about it. It is a film geared toward teenagers. I think it puts in perspective the drug problem. It is a film that I think would have an impact on any teenagers that would view it.

Admiral EDSALL. Let me mention two other things.

I sense that you believe this is important, the demand side, and I certainly do. In Dade County there are 5,500 licensed liquor establishments. By the way, the definition of narcotics should be broadened to incluide alcohol insofar as youths are concerned. Alcohol is presently the main problem in that group. Informed Families is writing a letter to each one of those 5,500 licensed establishments in Dade County and telling them we are advising all of our constituency that if they see somebody serving liquor to a minor in your establishment, they are going to call us and we are going to call the Alcohol and Beverages Division of the State of Florida and tell them to go see why you are doing it.

Another thing—at the end of this month and the early part of November, we are holding in Miami what is called a media blitz on the problem of substance abuse. One of our three network TV stations is going to devote 3 hours of its prime time to that subject, no commercials on during that 3 hours. It is going to be in our major newspapers throughout the area, and radio stations, and will cover what is the drug problem, what can you, the parents and children, do about helping to solve the problem. That will all be done the latter part of this month and early next month.

Mr. Lewis. Thank you very much, gentlemen.

Mr. Smith. Thank you very much for being here today. We appreciate it very much.

Next we will hear from Jim Harley, accompanied by John Sullivan, a special agent in charge of domestic marihuana eradication program. And they have a slide presentation.

Gentlemen, would you come forward?

We have a statement from Mr. Harley which will be made part of the record. If you would like to highlight your testimony.

TESTIMONY OF JAMES L. HARLEY, DEPUTY DIRECTOR, DIVISION OF LOCAL LAW ENFORCEMENT ASSISTANCE, FLORIDA DEPARTMENT OF LAW ENFORCEMENT, ACCOMPANIED BY JOHN SULLIVAN, SPECIAL AGENT IN CHARGE OF DOMESTIC MARIHUANA ERADICATION PROGRAM

Mr. Harley. Mr. Chairman, I would appreciate the opportunity to go through some of my testimony briefly.

I have with me Mr. John Sullivan who has a slide presentation which we have discussed with your staff earlier, concerning paraquating of marihuana here in Florida, of approximately 10 minutes.

Mr. Chairman, we were asked to speak to several issues including the impact of drugs in Florida as we saw it, what Florida has done about it, and then what needs to be done in our opinion.

Some of these issues have already been discussed today. However, I would start out by saying I feel speaking on behalf of our agency, we probably have had more experience in this area for a longer period of time and a more severe experience than most agencies have had around the country.

I shall mention some of the things that we feel need to be concentrated upon by the committee.

We do have a severe drug problem in Florida. I am certain that the committee has heard this through its testimony yesterday, and also I understand this committee has a great deal and depth of knowledge concerning this problem. So I really would prefer, unless you deem it otherwise important, not to go into that any more specifically.

I would point out that the climate and terrain in Florida which has been so conducive to the cultivation of domestic cultivation of marihuana, has recently created yet another drug problem for us to deal with.

Mr. Smith. You of course heard this morning there was another bust on a plot of land in south Miami in a field completely hidden by groves. They estimate 70,000 or 80,000 dollars' worth of marihuana that would have been cultivated on that basis, a rather large field not that far away from the main area.

Mr. Harley. Mr. Chairman, I was unaware of that. I would comment that, on a daily basis, weather permitting, we find quite a number of sites. So that is not surprising to me at all.

Florida is still deemed as having the most serious drug-smuggling problem of all the States. However, it is encouraging to note through our voluntarily reported as far as drug statistics is concerned, uniform crime reports program in Florida, we have encountered during the past year a lessening in the total number of drug seizures, a decrease in the amount of drugs seized and also in total arrests.

Drug cases continue to comprise, as I am sure that you know a significant portion of the resources expended by law enforcement agencies in this State.

Our department, which is statewide in focus, over the past 2 years has expended approximately 50 percent of its total investigative man-hours in this area. My understanding is that of the felony cases filed in the State's circuit courts in 1981 and 1982, approximately 15 percent each year were drug offenses. I also understand that approximately 7 percent of the inmates housed in the corrections system in 1981, approximately 9 percent in 1982, were there because of drug offenses. I understand during the same period approximately 23 percent of the offenders within the State's probation and parole systems were there as a result of drug offenses.

In addition to these directly related narcotics and dangerous drug offenders and offenses, I am unable to quote absolute statistics, but I think it is well accepted that a considerable number of property and persons crimes are committed which relate back to narcotics and again which impact the criminal justice system here.

Mr. Chairman, you have also asked me to speak to the issue of efforts to combat drug trafficking and drug abuse. The reputation earlier described which is attributed to Florida, and Florida's desirability as an import point, are due to many factors which have been touched upon earlier. I must be quick to point out that this reputation is certainly not indicative of a lackadaisical attitude nor of a failure to aggressively act on the part of the State's criminal justice agencies.

To the contrary, I would posit that the State of Florida has assumed certainly one of the most aggressive, no-nonsense, and innovative leadership roles in this country in dealing with its narcotics problem and, considering what would be obvious results of anything less, has done an astoundingly commendable job.

This State, perhaps more than any other over the past decade, has simply had a lot to contend with and react to in the drug war.

Since you have already spoken to numerous people at the Federal level, I would like to take a very brief opportunity to mention some specific areas which we have implemented and addressed in Florida and which I feel are apropos to other States considerations and may be of interest to the committee.

Florida has established a central repository into which criminal investigation and intelligence information is input by, and within which the data is correlated and distributed back to, virtually every law enforcement agency in this State, as well as many agencies out of State.

This system, called the Florida Intelligence Center, is somewhat similar to the Drug Enforcement Administration's El Paso Intelligence Center, EPIC, and serves as a point for intelligence analyses, targeting of major operations, and as a pointer index linking agencies who hold similar information relating to criminal activities, including drug offenses and offenders. This center has a current membership of over 70 percent of law enforcement agencies within Florida, representing over 90 percent of Florida law enforcement officers.

The system is very active, not only in the area of drugs but in many other crime areas. We feel that this certainly has benefited us in Florida. It is connected with the El Paso Intelligence Center, under the Drug Enforcement Administration, and it is tied into numerous data bases and enjoys a significant number of contacts throughout the country, both at the Federal and other State levels.

It has come a long way to linking information together which is possessed by many agencies unknowing to other agencies that might need the information.

Florida has exercised significant initiative in designing and passing legislation enabling its criminal justice system to better deal with and more adversely impact drug operatives.

I have defined some of these legislative packages in the testimony. This includes RICO, Contraband Forfeiture Act, drug trafficking laws with minimum mandatory sentencing, wiretap provisions, mutual aid provisions, conspiracy provisions, and the division which I represent has been created specifically to provide State support to local law enforcement agencies.

Florida has also initiated a statewide domestic marihuana detection program. This began 3 years ago. I have provided to the panel under separate cover a brochure which is now being distributed statewide to citizens.

We have just recently installed a hotline coming into our department by which citizens can report growing marihuana.

As a result of this program, we have seen particularly here in the last year the growers reacting to us. They are planting their marihuana in many more plots but in much fewer numbers and much better concealed, presumably in an effort to conceal this from aerial detection.

As part of this, the State of Florida in a prototype and innovative approach in July 1982 applied paraquat to a growing marihuana site. This effort provided not only for research which was relevant to using herbicide for this purpose, but it was also conducted with acknowledgement of international ramifications associated with this country's dealings with foreign drug source countries in eradication efforts.

This program was done with a lot of anticipation on the part of the department. It was well planned, very successful.

Our department has recently initiated a program through which we are going to, and in fact are already doing this, integrate numerous regulatory agencies and prosecution agencies in an effort to more severely impact organized crime operations, including narcotics operatives.

We will be measuring success in this effort not strictly in terms of arrests, but in terms of harassment, dislocation, relocation of organizations, seizures of assets, and any method that we can put these operatives under a greater amount of heat legally, and try to either dispose of them here or run them out of Florida, we plan to do that.

We already have certain operations targeted and are already active in this regard.

Florida has entered into an agreement with its National Guard to assist us in the marihuana effort. This agreement is lacking in some aspects.

We have also recently worked in conjunction with NASA in applying sophisticated aerial surveillance techniques in Florida in an effort to more efficiently and effectively and quickly identify growing marihuana from the air. The results of that test have been successful. However, additional testing remains to be done. We plan to continue to pursue this with NASA.

Inasmuch as we have had seaborne and airborne interdiction at the Federal level, in an effort to more adequately address the land importation, we have implemented unannounced roadside inspections using narcotics sniff dogs at truck stops, agricultural stops where large trucks which might be transporting illegal narcotics must stop. We have done that on several occasions and plan to continue that.

Mr. Gilman, this might be of some interest to you particularly—in July 1982 the southern Governors met and identified international drug trafficking as a major issue of major regional concern to them. Subsequent to that, and I personally authorized a good deal of this and am very conscious about this particular program, eight policy recommendations were drafted in an effort to suggest to States ways in which they can enhance their drug control efforts.

I have under separate cover this morning provided a copy of that to the committee.

Mr. SMITH. That will be received and made part of the record without any objection.

[The information referred to appears on p. 320.]

Mr. HARLEY. I would recommend that you do look at that. I think this is an aggressive program proposal on the part of the State of Florida and again it deals not only with law enforcement, with prosecution, and most particularly demand, the demand side of the picture, it kind of covers the gamut.

As one part of this proposal, the State of Florida—this might be of some interest—the Governor and attorney general are both considering an additional proposal which I have not brought with me, but which I would be happy to make available to you, to implement a statewide demand-oriented public education program.

This urgent, proactive, and demand-oriented effort calls for increased educational efforts to build public awareness, concern, interaction, and action to reduce drug abuse.

Mr. GILMAN. Is that in place now?

Mr. HARLEY. That is under consideration and is being discussed with the Governor and the attorney general at this time.

Incidentally, Mr. Turlington, commissioner of education, would logically be involved in that program.

Mr. **Gilman**. We hope you get him involved at an early date, because apparently they were unaware of the high priority being given to this issue.

Mr. **Harley**. I might also mention that the citizens groups that were just discussed prior to my coming on here would also be tied into this, and many organizations would be asked to become involved in this upon its implementation. We have worked with Mississippi and Texas.

Mr. **Smith**. Mr. Harley, if you can finish up your remarks—we want to leave time for questioning.

Mr. **Harley**. All right.

Mr. Chairman, let me mention a couple of things that we feel need to be done.

We feel that it is absolutely important that the administration continue and intensify its efforts as an important foreign policy element in eliminating drugs in the major source countries. You have already heard that.

What I would like to do this morning is try to answer questions such as this, and I hear all of the time that we are actively doing this, and we are making headway. How close are we today 2 years after the Percy amendment? Can this committee get a time certain to get something done in this area?

I would challenge the committee to make this a top priority for 1984 and, working with the State Department, to get something done in this area, so we don't come back 2 or 3 years from now.

I would also mention that with the recently released Army Regulation 500-51, which deals with support for civilian law enforcement, the military is extended flexibility to work with us in a greater capacity. However, we find in a policy which has emanated from the National Guard Bureau in Washington, D.C., what in my view are inconsistent policies with the recently released Army policy.

The Guard, for all practical affects, cannot in fact assist law enforcement in any meaningful way. I believe this issue certainly needs to be addressed.

The expanded task force concept is too early to assess. And I would mention it is my understanding—I am not sure that the committee is or is not aware of this—my understanding is that the attorney general has included a request in his next budget for a 13th task force to be set forth in Florida.

If this in fact is the case, and whether or not it is, we certainly think this could be an important step for several reasons, most notably the fact that if you check with all the other task forces that are in place and operating, I believe you will find that many operatives and many investigations you are dealing with are tied directly back to Florida. And there needs to be a close coordination not only of that but the interdiction task force and the other Federal resources in place in Florida.

I would finally mention, and then answer any questions that you might have, that I fail to understand at this point in time—I am sure the committee is aware of this—it is extremely difficult for you, I am sure, and it certainly is for us, and probably for everyone, to deal with a problem we cannot even measure. There is no mechanism in this country in existence today that can tell us with any degree of certainty what this problem is.

My question is, How can we realize, particularly hope to be able to determine, what impact efforts are having against the problem?

My point is I think there needs to be some attention given to a national availability of records that can more adequately and accurately demonstrate to us more clearly what the problem is and what impact we are having in dealing with it.

[The prepared statement of Mr. Harley appears on p. 296.]

Mr. SMITH. Thank you very much, Mr. Harley.

Why don't we go ahead at this time and show the slide presentation.

Mr. SULLIVAN. Gentlemen, thank you very much.

I must say I jumped at the opportunity to try to educate anyone in the area of domestic marihuana, which is the area I work in. My responsibility within the department of law enforcement is I oversee or supervise the squad that works in the eradication and identification of domestic marihuana in the State of Florida.

What I have brought today is a very few slides to show you what paraquat did when we used it. I would like to tell you how we used it, because we do believe it to be a method of eradication, a very valuable method.

Mr. SMITH. Mr. Harley, can you give me in any sense at all what has happened the last few years in terms of the cooperation between your agency and the locals interacting with the Federal task force?

Mr. HARLEY. I believe that it has definitely improved over the past years. I think there is a lot of room for improvement. We need to go a long ways. It is difficult to determine—I think these agencies in many cases tend to become involved, the State and local agencies, specifically on a case-by-case basis, and specifically in investigations which has been initiated by these agencies.

I think there should be a more routine day-to-day contact and association and interchange among these agencies. I do feel that we are improving in that area.

Mr. SMITH. Have you ever been, as the chief of the division of local law enforcement assistance, which means your agency is the one that sets the cooperation with the locals from the State level, asked to tie in your own division with the Federal task force so you can bring all of your existing contacts with local law enforcement directly to them? Have they ever sat down with you?

Mr. HARLEY. We are in discussions at the present time as far as the information system that I referenced. The Federal agencies are tied into that system with us.

In addition, let me say that in another division in our department, which is the investigative division, which we are not—we are more of a local assistance and coordination division—that division is very actively involved with the strike forces, interdiction system, and DEA, FBI, Customs, Federal agencies.

One agency that we continue to have some problems in dealing with, very frankly, is the IRS. We feel that—as a matter of fact I would like to leave some additional information with the committee because I think another prolbem faced by many law enforcement agencies in this country is the inability to access information held by the IRS.

Also, our commissioner and the State's attorney general have been in rather heated discussions with the Commissioner of IRS over the past few months, attempting to get a reimbursement for investigative costs when our agencies go through a tremendous amount of resource expenditures to turn over investigations to the IRS which then result in tax evasion cases and seizures of assets—we feel that it would be appropriate for the IRS to, not in a reward sense, but to reimburse the State and local agencies for their investigative expenses.

Mr. SMITH. They have been asked and refused?

Mr. HARLEY. They have been asked.

I have correspondence to leave with the committee.

Mr. SMITH. Thank you.

Mr. SULLIVAN. Gentlemen, I would like to point out that we used paraquat not as a total eradication method. What we used it for was as a drying agent, in order for us to destroy on site. Green marihuana is very difficult to burn. Therefore, it has to be dried. This is a particular place that we used it, Red Bay, Fla., which is in Walton County. That is up in the panhandle area.

The reason that we felt this was a good site, one, from a cost-effective idea, is that Panama City and Pensacola were the two closest places that we could burn this almost 10,000 pounds of green marihuana. We would have had to truck it to either one of those places, which would have caused us some security problems, plus the cost of the actual hauling of it. So we used the paraquat to dry this stuff so we could burn it.

When we arrived on the scene, this is some of the sights that we saw. This is how it was growing. It was growing in loops that meandered over about a 40-acre area. The loops, after you measured them out, were about 1 mile long. Within those loops the rows would be anywhere from about three rows up to about eight rows.

This is just how it looked as you walked through it. At places it was very narrow.

We did not use aerial spraying. After we looked at this we decided it would be impractical to try to even talk about aerial spraying.

I would like to point out that before we did this, this was not just a sudden decision. We did not find this place and say let's go out and use paraquat. We started a year ahead of time looking for an alternative method to eradicate the growing cannabis. We used the manual method. We still use the manual method. We will continue to use that method. But we also hope that if it ever comes a time and a place that we need to use the paraquat, that we can go ahead. We know we will do it. We hope we will be allowed to go ahead and continue using the paraquat.

Now, this is after we sprayed. We sprayed at noon on Saturday, on August 28. This is some 3 hours later, 3 o'clock in the afternoon, and we begin to see some of the effects already.

Can you see some of the tips of the leaves beginning to wilt and curl a little bit?

I might point out to you that this cannabis grown in the State of Florida is some of the best cannabis that is grown.

We are talking about some that came out of this field that was analyzed by the University of Mississippi Marihuana Research Foundation to be about 4 percent, or it was 4 percent in the THC Delta 9 content. So this is some pretty good homegrown marihuana.

This is another shot. The leaves are beginning to droop a little bit.

Here we are, just an hour later, and you can begin to see at a distance there might be some change in it. As you get a little closer you see the leaves begin to really brown. The temperature on this particular day was about 102° out there. This was in the direct sunlight. The paraquat works very rapidly the hotter and the brighter the sun.

Now we move to Sunday at 11 o'clock. Now you can see the plants are actually browning. You can see it from a distance. Those that you see laying in a pile right at the very front there that are already brown were cut. They were the samples that we took in order to get the weight out of this—we just took a sample from small ones to large ones. It was done by our crime lab people. And they came up with the estimated weight at 10,000 pounds.

This is beginning to die there.

You see it still has some green, but it is beginning to turn brown.

This is at 2 o'clock Sunday afternoon. You can see it is pretty well going now.

This is at 4 o'clock. This is when we made the decision we would not wait the full 3 days. We had set out to wait 3 days for this stuff to dry. We felt since we were using it as a drying agent in order to burn it, we reached that point and it would be foolish to wait any longer. So what we did—you can see the leaves are pretty brown now. We went in and cut it all down. We used these gasoline cutters to cut it down. That is what it looked like.

Mr. **Harley**. John, let me interject.

The committee will notice the surrounding foliage, you will notice there is absolutely no damage which has occurred.

Mr. **Sullivan**. Then we loaded it up and just moved it to this pit where we had it dug onsite. As you can see, some of it did not get as brown as the rest. We felt it had dried sufficiently to burn it. That is exactly what we planned to do with it.

Now, this shot here points out what Mr. Harley was saying. This is the area. We disced up the area—after we picked up all the plants and burned them. We wanted to destroy what may have been left on the ground. We like this shot because it shows that we did not destroy the foliage outside of the marihuana. We used the truck-spraying method which we spray directly on each plant.

Here is another shot to show you how it looked on the other side.

This is the area where it was burned. We just covered the hole up and smoothed it out.

Gentlemen, that pretty well takes care of the slides there. Like I said, I just wanted to show you those to show you how we use the paraquat. The reason we used it, of course, was so that we could burn it onsite and destroy it rather than try to haul it 100 miles.

The first question that is brought to us normally is, Was it cost effective? I will have to say that probably you could pin me down and say no, it was not cost effective to this particular case.

But I must point out that we had newsmen from all over the United States, some from outside the United States, with us that day. We had to have security that we normally would not have to have for an instance—we just had a field we did some work with NASA; it was unknown to the public or press, so therefore we cut down where we used, I think it was, 12 men for security here, we cut down and only used 3 men.

We could have done the same thing with this field here if we had not had such a press problem. I think we could have made it cost effective. I am sure the next time we use it it will be.

Mr. SMITH. Thank you.

Congressman Gilman.

Mr. GILMAN. Thank you, Mr. Chairman.

With regard to paraquat, has your State agency tested for any harmful effects?

Mr. SULLIVAN. No, sir, we did not actually do the test. We relied on testing done by research foundations, also from testimony given to your committee. We relied heavily on the information that came down from the Mitre Corp., which was contracted to the Government. We relied on DEA. We took information from other sources.

Mr. GILMAN. Are you doing any spraying elsewhere in the State?

Mr. SULLIVAN. We have not done it at this time. The reason is that we only will spray when we feel it will be a cost effective and appropriate time to spray.

Mr. GILMAN. You are convinced there are no harmful effects to be concerned about?

Mr. SULLIVAN. Any time you use a registered pesticide, there is a danger if it is not properly used.

Mr. GILMAN. I am talking about proper utilization.

Mr. SULLIVAN. If it is properly used, it is as much as driving an automobile. Each of us drive, but there is a danger to driving. I was there the day we sprayed. I was out there and assisted in the spraying. I feel very comfortable about that. I would do that again, yes, sir.

Mr. SMITH. Mr. Sullivan, do you know of any statistics about the size or amount of use currently of paraquat in the Florida agricultural area?

Mr. SULLIVAN. I am not sure of the figure for last year. I was just looking at the one in 1979. We used 61,000 pounds. I think it is up to 90-something now, and it is used in the domestic area. Sugarcane is probably the largest user.

Mr. HARLEY. The most recent figures I have seen are between 180,000 and 250,000 pounds. It might be interesting for you to note in this operation we used 8 ounces.

Mr. GILMAN. Mr. Harley, you spoke about the need for a central capability to accurately measure and assess the drug problem in our Nation. What are you referring to?

Mr. HARLEY. Something along the lines of uniform crime reporting statistics, health related, and so forth.

Mr. GILMAN. Aren't you getting some of that information now from the Federal Government?

Mr. HARLEY. I would say my feelings as far as the validity, dependability, et cetera, are not very high for the information that we are able to get now.

Mr. GILMAN. For example, what sort of information do you need that is not available right now?

Mr. HARLEY. I am not certain in my own mind. I think if you check into the information, you will find many agencies never report to the Drug Enforcement Administration.

I think you will also find a great deal of duplicative reporting. This is not casting a stone at DEA. I am simply making a statement that in my mind I know in the State of Florida it is very difficult for us to assess the problem and our efforts to deal with. We have a mandatory uniform crime reports program, but at this time this does not include mandatory reporting of drug data. We do ask and voluntarily receive such reports from local agencies.

Mr. GILMAN. Are you saying in your own State you don't have an adequate reporting system?

Mr. HARLEY. That is true, yes, sir.

Mr. GILMAN. That is something that I would assume the State government could take care of; is that correct?

Mr. HARLEY. I think that that would be an incumbent problem for all States, not only Florida. I do not know, and I feel fairly safe in saying that no State right now, that any State you talk to will give the same answer.

Mr. GILMAN. Are you at work in trying to make your own State reporting system more effective?

Mr. HARLEY. I think that from the standpoint of modifying the law, Mr. Gilman, I cannot answer that question. I am not aware of that. I think from the standpoint of our personal efforts to receive better reporting we are doing that, we are training on a daily basis.

Mr. GILMAN. Our committee is concerned about the national statistical phase. I am trying to evaluate just how extensive the problem is. We would certainly welcome any State effort that you are making to firm up that effort.

I am also interested in the Governor's strategies—it looked to me like an excellent paper. We just received it in the last few minutes. But I noted the emphasis once again on the need for an increased educational effort. In it you state that the public school education effort should assist the department of education in developing and presenting more relevant, positive, and proactive curricula in drug-related education.

I hope you will get that before your commissioner of education at an early date.

Yesterday they talked about the lack of any curricula. Apparently they deemed that to be somewhat of a low priority.

Mr. HARLEY. Mr. Gilman, I represent a law enforcement community. However, from a personal commitment I think that there are many answers to the questions that you posed to the gentleman that appeared before I did concerning this. I think there are some ways to do it, and there are some ways it would not be successful. I would be happy to provide you additional information on that at a later time.

Mr. GILMAN. Thank you.

Your résumé of some of the legislative initiatives that have been adopted is quite good. To your knowledge, has the RICO law been implemented at all?

Mr. Harley. Yes, sir, very extensively. Unfortunately, though I am speaking to some extent on behalf of the attorney general also today, and he does have this information, but unfortunately it is not in my head and I don't have it.

Mr. Smith. If the gentleman would yield, the RICO law right now in Florida is working fairly well. We are using coordinated efforts. Summonses and complaints are being served at the same time on defendants. Last year over 5 million dollars' worth of RICO-related forfeitures were gained by the attorney general's offices. So it was extremely cost effective. It seems to be working fairly well.

Mr. Gilman. What is the most important recommendation that you would have to the Federal Government or to our committee to try to help you in your efforts?

Mr. Harley. Well, I would have to say that at this point in time let me say—not meaning this to be a copout, because I have heard enough of that in testimony, a lot of generalities without many specifics. However, the items here, five or six items I have listed here in this report, and I think again, coupled with the additional information that I mentioned about the IRS, all of those issues are very important to us.

I think it is a little early to tell, but I believe if the additional task force comes down, and if the task forces involve the State of Florida and local agencies from a policy standpoint, and if they participate with us on a routine basis so that in fact they are doing for us as States what we in our division are trying to do locally for local agencies, this will probably have a very good and positive impact upon you.

My understanding is that the 13th one is coming.

Mr. Gilman. Just one further question. Have you had any input into the NNBIS program at all?

Mr. Harley. I would say from a policy standpoint very little. I can say for sure I have not. My commissioner may have had contacts.

Mr. Smith. Congressman Feighan.

Mr. Feighan. Thank you.

Mr. Sullivan, I am interested in the use of paraquat in trying to deal with the domestic crop. Do you have any way of estimating—I know it is speculation at best—the number of acres in Florida that are now cultivating marihuana?

Mr. Sullivan. Sir, I have no way at all—in fact acres would be I feel a bad way to describe the amount of growth. The thing that we like to look at now is because we feel through our enforcement efforts we are causing them to change their patterns.

We have seen 2 years ago a 3-acre field growing cannabis, now we see plots of anywhere from 1 to 100 plants to be the norm. In fact, this year already we have found 521 different sites of growing cannabis. Last year we didn't find but 336. So what we think is happening is that they are getting smaller and smaller. That is not only from our enforcement efforts, it is also from the ripoff standpoint. They do not want to have their crop stolen by someone else.

Mr. Feighan. Does that suggest, then, that the use of paraquat is going to be less and less effective?

Mr. SULLIVAN. We feel that that probably is true because the main effort that we have is to keep the marihuana from reaching the street. We do not want the dope to get there. Rather than just spray and walk off and leave it, which it can be harvested over that, I think the Mexican operation showed us that can happen, the way it came into this country after that, so we want to destroy it.

If you have 100 plants, it is quicker to just pull it up than it would be to go in and spray. I have to be totally honest about that, but of course, if you found a large one, I don't want to be curtailed in not being able to use the paraquat.

Mr. FEIGHAN. Why haven't you used paraquat more extensively? Why haven't you used it since this spraying?

I assume that that narrow field was deliberately planted in that fashion.

Mr. SULLIVAN. Yes; the gentleman that grew this, and I might point out one of the things we were very proud of in this case is that there were nine people involved in this. Through the investigation we arrested all nine people and they have been convicted, some in State court, some in Federal court.

We feel that the plots are smaller, they are not going to get larger, they are going to go indoors with them. They are going to do anything they can possibly do to hide from the enforcement area.

The reason—I am sorry, I got off on a tangent there.

Mr. FEIGHAN. I was asking why you had not used it since that particular incident.

Mr. SULLIVAN. We have not used it because we have not found the site. If we found the site we would. We are a local assisting agency—not an agency, but division. We work with the local law enforcement officers, the cases that we have are assisting them. We assist them in identification, we assist them in eradication. If they do not request our assistance, we usually do not get involved because they have already been taken care of before we know about it.

The last cases we had that it could have been used would have been here in south Florida for some, but due to timing and things like that, they had to eradicate before we could have ever been involved.

Mr. FEIGHAN. Thanks very much.

Mr. SMITH. Thank you.

Congressman Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. Sullivan, you know in Mexico they spray paraquat which is a four to five times more powerful dose than we use here, and it has been very effective.

Mr. Harley, what kind of contact did your department have with comparable law enforcement agencies in other States? Have you initiated the contacts or have they?

Mr. HARLEY. Both, sir.

You are talking about in regards to paraquat?

Mr. LEWIS. Overall drug operations.

Mr. HARLEY. I would say every State in the country, with many on a daily basis. We communicate with these agencies very, very regularly.

Mr. LEWIS. I noticed in your answer to one of Congressman Gilman's questions, you more or less referred to the subject of protective turf, which this committee has found to be a problem between the Federal Government and a lot of locals. It would seem to me, and correct me if I am wrong, that in this country the various attorney generals exchange information back and forth, come up with proposed requirements for legislation and, provide it to their various congressional Representatives and Senators.

In relation to his question about the department of education—what are we doing in the State of Florida? Do we have a drug council here that gets together and says what all of the various areas—department of agriculture, department of education, department of commerce, the attorney general's office are doing cohesively to fight the war on drugs in Florida?

Mr. HARLEY. Mr. Lewis, let me mention two things.

First of all, I have already said that the State of Florida aggressively has placed into the hands of the White House and every Governor in this country a very active approach to that problem.

Second, a proposal has been given to the people at our level right now to try to cause a more cohesive approach from the standpoint of disciplines that traditionally have not been involved together in the country, such as your health agencies, your educational agencies, your prosecution, law enforcement.

However, for quite some time on a very frequent basis from the standpoint of prosecution in law enforcement, we are very, very closely involved with the attorney general of the State. The Governor of the State has supported our efforts regarding enforcement and prosecution.

I think where the deficiency has been traditionally in Florida as well as throughout the country, even though three or four States have tried to do something about it, is in the demand, on the demand side here.

Our strong desire at this point is to try to pull closer together. It is my personal belief this should be done, involving primarily the private sector. However, the States' departments of education are extremely critical to it. As far as direct participation in this effort by law enforcement, we would discourage that, and be prepared more to treat that as an advisory committee to this group.

I think if it is going to succeed, it has to be grassroots, it has to be from the community level up, and it has to take a look at the many programs referenced in the testimony prior to mine that do exist, ferret out the ones that are having an impact and that are working, trying to put them together, try to develop roles and models on a national basis involving these agencies that have the expertise.

We in our agency have some expertise. I think it is our strong desire to try to gain this type of cohesion, but to do that we must rely upon other agencies and other disciplines.

Mr. LEWIS. Do you know whether or not the Governor of the State of Florida has a drug strategy council or commission?

Mr. HARLEY. No, sir, again within the attorney general's office there has been a program that has been working closely in conjunction with the Florida Informed Parents and publishes various information.

But beyond that point, there is not the type of group that I am referencing when I refer to the program that has been laid before you this morning.

Mr. LEWIS. One last question.

Are you aware of or do you know when the last time the Florida cabinet has had a briefing by your department and the attorney general's department, a full briefing on the drug trafficking problem in Florida?

Mr. HARLEY. No, sir, I cannot answer that.

Our commissioner is in very frequent contact with them. Again, I apologize that I am not prepared to answer that. But I really cannot give you a date.

Mr. LEWIS. Mr. Chairman, if possible I would like to have that question answered for the record.

Mr. SMITH. If you care to answer that question, any written statement you submit will be part of the record. If you would, I would like you to indicate whether or not the cabinet has received any information or briefing from the South Florida Task Force.

Thank you very much.

The next panel is the Statewide Treatment and Education Panel. We have your statements. They will be part of the record, without objection. If you would summarize briefly your statements.

TESTIMONY OF JEROL PHILLIPS, DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES, STATE OF FLORIDA

Miss PHILLIPS. Currently the State of Florida spends slightly over $16 million in the area of drug treatment and prevention. Of that, about $14 million goes to treatment and $2 million goes to prevention. I would like to mention also that as part of our prevention effort, we have worked very closely with the parent groups mentioned earlier and have provided them with a yearly grant of $25,000 to supply materials to them and to expand the parent group movement.

We also are working closely with them to try to network the State for the upcoming chemical people broadcast on November 2 and 9, which you might have heard of on a national basis.

We do still continue to have some treatment service gaps. For example, minority youth do not tend to come into treatment except through the criminal justice system. We would like to be reaching these kids earlier. We don't really have any funded services for medical detoxification for drug abusers. Unless somebody has insurance or can afford to pay a private hospital, those resources are not available.

We also have minimal services for an emerging State hospital drug population which also is mentally ill.

We are focusing more on expanding our residential treatment capability. Unfortunately, the drug treatment population is getting younger. I would call your attention to just a few statistics in both arrest statistics and treatment.

In 1981 and 1982 there were 21 children reported in our treatment system who were under age 12. According to the Florida Department of Law Enforcement Statistics on sales of drugs, in 1982, in age 17 and under, there were a total of 4,128 youth arrested for drug violations. Seven of these were selling opium and eight were arrested for posessing opium, the youngest of those was 14 years old. So that is pretty disheartening, when you begin to see younger and younger ages.

We need, certainly, stronger criteria for juvenile treatment admissions to try to divert more of these kids into treatment at an earlier age. On a systems basis, we do continue to have youthful offenders who remain unserved and a significant number of addicts in prison and not receiving treatment. We also need to expand our efforts even further to bring in more on a voluntary basis to further inform the public about drug problems.

We suffer, as do most States, with a lack of coordination in the drug field. We do not have any sort of commission that brings together all agencies. We also have not felt a strong commitment on the Federal level to something like this, because under the former Special Action Office for Drug Abuse Policy, which currently I believe is called the White House Drug Policy Office, there still is not anyone who actually brings together all of the Federal agencies in a coordinated effort either. And this is a problem in Florida as well.

Mr. SMITH. Thank you very much.

[The prepared statement of Frank Nelson was presented by Miss Phillips and appears on p. 300.]

Mr. SMITH. Mr. Daigle.

TESTIMONY OF JOHN DAIGLE, EXECUTIVE DIRECTOR, FLORIDA ALCOHOL AND DRUG ABUSE ASSOCIATION

Mr. DAIGLE. Thank you, Congressman. First of all I would like to thank you for inviting our organization to participate in your hearings. Not only do we appreciate the opportunity to provide input, but I think the fact that you have invited treatment and prevention representatives is a message that the demand side of the equation does have a role in a comprehensive effort. And we would like to see more of that among other organizations and agencies as well.

Our association is a private nonprofit membership organization made up of the alcohol and drug abuse prevention and treatment agencies throughout the State, both proprietary and public as well. We are involved in legislative advocacy at the State level.

In response to some discussion earlier, one of the issues that we raised last year and continue to pursue is greater education in the school system. The legislation that was introduced this past year was not successful. But we will continue to raise the issue.

We have also brought together a committee of prevention professionals, HRS representatives, education staff, to try and develop guidelines for drug abuse education on a voluntary basis, since there is no mandate presently at the State level.

A few comments on the prevention and treatment system in Florida. Basically, Florida has a sound system of prevention and treatment. In many communities we do have continuous services available throughout the State. However, it is a very limited system. We are not reaching anywhere near the population in need. I think we are dealing simply with the tip of the iceberg.

One of the characteristics of the Florida system is the fact that the State of Florida contracts with private providers to deliver the actual services to local communities. This is an arrangement that we think has resulted in cost effective services as well as considerable input from the local communities. That is something we would like to see protected.

Two programs specifically that I think bear mentioning, that Florida has invested strongly in. One is the TASC program, which I am sure many of you are familiar with, treatment alternatives to street crime. In Florida there are 17 such agencies which cover just about the entire State. They work very closely with the criminal justice agencies to identify, screen and, when appropriate, refer offenders into appropriate treatment.

The other prevention program which was mentioned yesterday is the Alpha program. It is a program which has received a lot of acclaim nationally as a model. Basically it identifies high-risk youth in the school system, works with the teachers, the students and families to effect a positive change.

One of the best things about this program is that it has utilized measurable objectives and therefore has been proven to be effective.

As I said earlier, the basic message I would like to communicate is that we have a sound system, but we are dealing with a very small part of the population. Contrary to the belief of many, drug abuse is not decreasing. We continue to see a considerable demand for our services. Community-based programs are continuously dealing with extensive waiting lists, and they are continuously operating at over 100 percent capacity.

Besides the fact that people are on waiting lists, I think what we are seeing also is in some cases inappropriate referral to treatment in that people who really need residential treatment are referred to outpatient modalities. That is not a cost-efficient utilization of the limited moneys available.

As has already been mentioned, there is a critical need in Florida for adolescent programing. It is my understanding here locally in West Palm the community is attempting to raise funds for a residential adolescent program. I was at a program in St. Petersburg earlier this week, an adolescent residential program, where we have over 100 adolescents waiting for treatment.

These are people who have been identified, ready for treatment, they want treatment, but they are waiting at this point. That is something we would like to see changed in the near future.

As Miss Phillips has already mentioned, something that causes us significant alarm is the decreasing age of the individuals that are coming in for treatment. More and more it is not unusual in our programs to see 12-, 14-year-old adolescents experiencing significant drug and alcohol problems.

In my statement I mention the fact the Florida Department of Corrections, in their annual report, indicate 70 percent of their population admit to a significant substance abuse problem. An HRS study concludes 21 percent of the State hospital population is in need of treatment. An oversight report by the Florida House of Representatives indicates 5,000 youthful offenders are in need of treatment.

An area that has not been mentioned so far is Florida's elderly. Florida has the highest population in the country of elderly. There is a significant incidence of misuse among that population. Florida does not have the appropriate programs in place to deal with that.

In summary, though we are delivering services, the treatment and prevention systems are stretching at the seams and we are dealing with the tip of the iceberg. Realizing the fact that Florida does have such a large problem because of the accessibility of drugs due to the trafficking and the fact that Florida is such a fast-growing State, it is predicted by the end of the century we will be the third largest State in the country, I think there needs to be a considerable raising of priority of prevention and treatment in the State.

I would like to make a few comments about the present Federal strategy. Basically we in Florida are not in a position to tell the horror stories you may have heard in other States about the effects of the block grant mechanism. Many States have had cutbacks. In Florida we are fortunate that the Florida Legislature has replaced over 90 percent of the cutbacks faced. However, these are resources that could have been used for additional services which are badly needed.

Though the Federal strategy verbalizes a comprehensive approach, it focuses primarily on law enforcement. Whereas the budget for law enforcement at the national level has increased some 30 percent, the budget for prevention and treatment has decreased significantly. That causes us some concern. Clearly there is a correlation between law enforcement efforts and the need for treatment. In communities where we see a strong law enforcement strategy to cut off the supply, there is a direct increase in the demand for treatment services at that community level.

I have made several recommendations in my testimony. Basically the bottom line is that we would like to see the Federal Government continue to take a strong leadership role to maintain the priority of these programs and increase the appropriations for prevention and treatment programs.

Thank you for the opportunity to testify. I would be glad to answer any questions.

[The prepared statement of Mr. Daigle appears on p. 303.]

Mr. SMITH. Thank you both. I appreciate your being here today. Let me ask you, first of all, both of you, what would you say now are the drugs of choice for the adolescents and the young adults you are treating, and what is the incidence of that type of drug of choice? In other words, if you have any breakdown in percentages. We know cocaine on the street is much more freely available than previously. Is marihuana up or down? What have you seen?

Miss PHILLIPS. Marihuana continues to be the primary drug of choice for young people entering treatment. Cocaine is moving upward. And now in the overall treatment system, cocaine is about the second drug of choice for clients entering treatment. I would like to point out, however, that alcohol is not indicated in this reporting system as a primary drug for those entering drug abuse treatment. Often alcohol and virtually any drug that a young person can get their hands.

Kids will go to parties and they will all bring whatever drugs they were able to get, whether from the medicine cabinet, the liquor cabinet, whatever, throw it all in a pile, and then just pick something out and take it.

The idea is to get high and the idea is to get high on whatever you have available. There may be some drugs of choice. But generally those are the most available drugs.

Mr. SMITH. Have you found the incidence as it increases of kids on drugs, that the dependency is greater than it used to be? Are they more into it than they were? Are you getting them younger?

Miss PHILLIPS. Yes; they do become very dependent. And the ages are younger. Again, it depends to a large extent on what drugs are available. One of the problems with alcohol in young people especially is that because their systems are not fully developed they can become an alcoholic in 6 to 18 months of fairly heavy drinking, whereas an adult it ordinarily takes a much longer period of time.

Mr. SMITH. You find that quaalude use is down considerably?

Miss PHILLIPS. We don't have a reporting system that breaks out quaaludes as such. It is certain categories of drugs. It is difficult to really say, but even at the time our legislature put methaqualone into schedule 1, the Drug Enforcement Administration estimated approximately 75 percent of all methaqualone in Miami was illicit. However, we have to assume that the law was effective in reducing the supply to some extent, because the current DEA automated reporting system shows that during the first quarter of last year prior to passage of that law, so much methadone was purchased in Florida legitimately that it put Florida tops in the United States in per capita consumption for the entire year. That was one quarter's purchases. So I think we can assume that the supply of methaqualone has gone down.

We have been working recently with a variety of agencies in a coordinated effort, with the American Medical Association's Prescription Abuse Data Synthesis [PADS] Committee. One of the things we have learned just from our initial two or three meetings is that we still have a significant problem of clients entering treatment due to amphetamine abuse. As you may know, the lawful use for prescribing amphetamines in Florida is very limited. However, again——

Mr. SMITH. But still not schedule 1. Still schedule 2.

Miss PHILLIPS. Right. But it is limited to certain types of conditions for which they are deemed to be appropriate, such as hyperactivity. They are not deemed to be appropriate for dieting purposes. But if you look at DEA statistics, you see south Georgia has an incredibly high amount of amphetamines going through legitimate channels in south Georgia. What we are seeing is our clients who like amphetamines are going across the State line and purchasing and ending up in our treatment system.

Mr. SMITH. That is what happened with quaaludes. That is why we stopped it. And that is why Georgia did it right after we did it for the very same reason.

Mr. GILMAN. Thank you, Mr. Daigle. I am impressed with the one suggestion you made that Federal legislation should mandate that a portion of the resources seized be utilized for treatment and prevention. I think that is a worthy suggestion that certainly warrants further study by our committee.

We are continually talking about utilizing forfeiture of funds for enforcement effort. It might be a good way of earmarking some of these dollars directly to the victims of the drug trafficking. Since we have found in our hearing down here there has been about $200 million in seizures and forfeitures, maybe a chunk of that money could help do the kinds of things that have to be done in this area.

I note that you both talk about the substantial population of drug addicts in our State mental facilities, and yet there doesn't seem to be any treatment program in the mental health facility. How do you account for that? You talked about 20 to 25 percent of the patients in a mental facility are there because of drug-related problems, and yet there is no program for drug abuse or alcohol abuse in the facilities.

Miss PHILLIPS. That is correct. First of all, I think it has only been within the last couple of years that we have begun to recognize that many of the people in mental hospitals with primary mental illness diagnoses do indeed have substance abuse problems.

We are attempting to develop a program, particularly one hospital where there is space available, to try to obtain funding to develop in-hospital programs for the mentally ill who are substance abusers. At this point we don't have the money to do it. We have prepared a legislative budget request to try to do that.

Mr. DAIGLE. If I may, I think there are two points I would like to add to that. Yesterday there was some discussion about the lack of interest by some parents, the apathy, and why is that. I think that same sort of denial of the problem exists at the policymaking level in many organizations, whether it be the department of education, whether it be in the mental hospital administration.

So I think that is part of it. And second, I think that the line staff in these programs are not professionally trained to identify the fact that the people they are seeing have substance abuse problems.

Mr. GILMAN. In looking over the Governor's strategies for drug control efforts, I don't see anything in here about rehabilitation or treatment. You might want to touch base, I would think, with the Governor's planning people and see if you can get something in there for treatment and rehabilitation. That certainly is an important aspect of the problem.

It looked and sounded to me like there is a need for strengthening the statistical compilation of information in Florida with regard to the number of people who are involved in drug abuse, the number of emergency records, the number of those that have been impacted by an overdose.

It seems to me you are both talking about the need for better statistics. Have you done anything about trying to encourage a better compilation of the statistical base that apparently is needed here?

Miss PHILLIPS. I am not sure really what statistics we would get that we don't already get.

Mr. GILMAN. For example, you talk about emergency records not being complete, that you really don't know how many young people are involved, and whether there are overdoses. Can you tell me today whether you had any overdose, any fatalities resulting from an overdose?

Miss PHILLIPS. We can tell you, we can give you the emegency room statistics that end as of June of this year.

Mr. GILMAN. Could you tell me today how many overdose fatalities we have had in the State of Florida——

Miss PHILLIPS. Not statewide. We still have a partial reporting system of hospitals that report to the National Institute on Drug Abuse. All hospitals do not report. Unless funds are available to pay the hospital to report, private hospitals, for example, will not report unless funds are made available to pay them.

However, the emergency room statistics are not always indicative of the type of drug abuse problem that would require drug abuse treatment. For example, while I will agree that an overdose is an example of a way to abuse drugs, someone who attempts suicide through an overdose may not be someone who is taking drugs for psychic effects.

It may be someone who simply wants to kill himself and uses drugs as opposed to a gun. So the emergency room statistics we have not found to be of that much value in isolation. We see them as a complement to other means of information such as information on our clients entering treatment which we do have.

Mr. GILMAN. In your own report, you are questioning how many persons of any age are using narcotics in an illegal way. It would seem to me those kinds of statistics could be made available with a proper request for compilation.

Miss PHILLIPS. How do you get at those statistics? Drug abuse is illegal. We don't have any way of going up to people who are not entering treatment or seeking help of some kind and finding out if they are. The young professional that uses cocaine at a party on Saturday night, they are not going to come before this committee and volunteer that information, and they are not going to volunteer it to us.

Mr. GILMAN. Well, do you feel confident that you have an adequate statistical base with regard to the extensiveness of the narcotic problem here in the State of Florida?

Miss PHILLIPS. No; not as far as the number of people who are using. But neither do I know how we would gather those statistics even if we had money.

Mr. SMITH. Mr. Daigle.

Mr. DAIGLE. I would agree. I think there is a critical need for data. I think the department has requested these kinds of funds. We have been very frustrated in working with the State legislature, asking for more funds, when we really didn't have any solid data. I sympathize with that situation.

What it comes down to is that with limited funding and having to choose between using those funds to fund actual treatment or data collection, the priority has obviously gone to treatment. And that is the bind that the agency finds itself in now. There is definitely a need for a better system both in Florida and nationally.

Mr. GILMAN. One last question. You are utilizing methadone clinics here in Florida. Have they been effective?

Mr. DAIGLE. I think from our perspective, I think there are many programs that have been effective, when they have been utilized appropriately and properly administered. I think there is a growing concern among the methadone programs themselves that there are some programs that are not being run correctly.

Miss PHILLIPS. I would like to add to that. We are in the process of revising our regulations for methadone programs as well as other programs and are looking especially at methadone programs in terms of tightening regulations.

Mr. GILMAN. Do you find they are an effective program?

Miss PHILLIPS. Are you talking about effective in terms of getting people off drugs completely?

Mr. GILMAN. Treatment and returning them to the mainstream.

Miss PHILLIPS. Yes. Well, I think you will find that some people will remain on methadone for a long period of time. However, the incidence of illegal activity goes down, their ability to participate in the work force and family life and that sort of thing increases. So from that standpoint, yes; it can be successful.

Mr. GILMAN. What treatment modality have you found to be the most effective?

Miss PHILLIPS. I think without exception residential, particularly if you are talking about somebody that is fairly heavily into the drug culture. It is simply not realistic to expect that person to remain in the community with the same friends who probably are themselves using drugs and expect that person to make a great many changes.

Mr. GILMAN. Is that residential treatment institutional?

Miss PHILLIPS. No; it is noninstitutional. The residential programs, some of them are as small as 20 clients.

Mr. GILMAN. Are there enough residential facilities to do the treatment?

Miss PHILLIPS. No.

Mr. GILMAN. How much of a backlog is there?

Miss PHILLIPS. It varies from program to program. We have right now identified at least 4 million dollars' worth of unmet needs, part of those being for residential treatment, particularly for adolescents.

Mr. DAIGLE. In response to that, I was at a program in St. Petersburg which does treat adolescents in a residential setting. They have a backlog of a hundred.

Mr. GILMAN. How long do they have to wait?

Mr. DAIGLE. Maybe several months.

Mr. GILMAN. In the meantime they are out on the street.

Mr. DAIGLE. Susceptible to drugs and all the other abuses going on.

Mr. SMITH. The lack of funds coming from the Federal Government has severely hampered your ability, because you were receiving a large amount of Federal Government assistance. And we have had to divert assets in the State of Florida.

Are you finding that you are now falling behind further?

Mr. DAIGLE. I think that would be accurate. I think part of what is happening nationally is that there has been a momentum. When the Federal Government decreases its funding in an area, there seems to be a momentum that the same activity happens at the State, county, and local level.

Mr. SMITH. You mean decreasing.

Mr. **Daigle**. That is right.

Miss **Phillips**. If you think it is bad now, if proposition 1 passes in Florida I shudder to think what is going to happen.

Mr. **Feighan**. I have no questions. I am grateful to the witnesses for their testimony.

Mr. **Smith**. Mr. Lewis.

Mr. **Lewis**. Thank you, Mr. Chairman.

I have a question for you, Miss Philips. You just described the problem we are having with residential treatment. You may or may not be able to answer this question. If you can't, I would like for you to send an answer to the committee in writing. If the State is expanding their residential treatment facilities already then there must be a demonstrated need, obviously, and you are short of funds.

I would like to know why the Glen Bay Corp. was denied a certificate of need for residential center in Jupiter, Fla., as a private sector corporation that takes no taxpayers' money, has other treatment centers throughout the United States, with very effective residential treatment programs. I would like for you to write the committee and explain to us why.

Miss **Phillips**. Mr. Lewis, if you will tell me the name of that corporation again—my office has nothing to do with certificate of need. But I will refer it to the appropriate arm of the department.

Mr. **Lewis**. The point I am making for the record is you have established that there is a need and a shortage of funds, and that a private sector corporation had asked for a certificate of need for residential treatment facilities, proven throughout the United States and they were denied. We will write to you—it is Glen Bay Corp.

Miss **Phillips**. I will refer your question to the secretary of the department. I have no knowledge of it whatsoever.

Mr. **Lewis**. I have a question for both of you. Mr. Daigle, you say the Federal Government must provide greater serviceability and leadership to the States in terms of developing strategies. In your testimony you pointed out you were concerned that the White House, the administration, or other Federal agencies were not providing the necessary coordination.

I would like for you to elaborate on that. I would like for Mr. Daigle to elaborate a little more.

Mr. **Daigle**. We think there is a critical need for leadership at the national level. There has been a reverse leadership role. As the Federal Government decreases funding, State, local, and municipalities have decreased their funding as well.

We think this committee is an excellent example of the leadership that we need. Your communication with the department of education we would like to see done with other arms of the Government, with the Governor's office, with the department of HRS, that is the kind of leadership I think is needed very much at the national level.

Mr. **Lewis**. Let me say this. I personally know the secretary. I think he is the best secretary you could have in that department.

Mr. **Daigle**. I agree. The other example of national leadership I think is looking at the structure of the Mental Health Institute. As funds dry up and efforts become more cost efficient, there is constant discussion about merging the Institutes.

We have a considerable concern about the Institutes of Drug Abuse and Alcoholism losing their identity and visibility at the national level through such merger. We realize there is a critical need for cost efficiency. But we don't think that is the way to go. We think there needs to be identifiable national institutes of both alcohol and drug abuse.

Mr. LEWIS. Thank you. Miss Phillips.

Miss PHILLIPS. We frequently look to the Federal Government for examples. And Federal agencies are similar to State agencies in that a legislative committee can ask questions of everybody, and those of us who are buried in the bureaucracy sometimes don't have the ability to do that. I agree with Mr. Daigle. The kind of thing you are doing I think will promote cooperation among agencies. So when somebody says they are having problems with an agency, you can look into those problems and try to insure that agencies do work more cooperatively.

Mr. SMITH. Thank you.

Mr. GILMAN. Just one more question. Miss Phillips, you mentioned that there are some monies earmarked in your budget for education and prevention. Is that in addition to what the legislature has earmarked for education in the schools?

Miss PHILLIPS. We have money for prevention programs, approximately $2 million, that does not go through the schools. Some of it is used for school-based programing. Much of it is. John mentioned the Alpha program earlier, which is an example that has been modeled nationally in terms of school-based prevention. Florida's education system is a little bit unique in that it is home rule. There are 67 counties and 67 county school boards who for the most part determine what goes on in the schools in that area.

Now, it was a really major step that this year the legislature identified certain courses that would be prerequisites for graduation.

Mr. GILMAN. That is part of the $20 million program.

Miss PHILLIPS. That is different money.

Mr. SMITH. No; I think that needs to be cleared up. The safe schools program had nothing to do with the curriculum change to mandate that one credit of drug education in the school system—safe schools, frankly, does not deal all that much with drugs. It deals more with campus security.

Mr. GILMAN. But part of that goes for education in drugs, does it not, of the $20 million program?

Mr. SMITH. I am not sure exactly how it is broken down. I would tell you probably the $1 million is more effective than any part of the safe schools program.

Mr. GILMAN. We have a Safe Schools Act of $20 million that talks something about drugs. We have $1 million out there the education department makes available to the districts for drug abuse programs. And now you are talking about another $2 million. Altogether, there is well over $20 million floating around. And some portions of that can be used for drugs. Yet there doesn't seem to be a central authority mandating how these should be spent. Is that correct?

Miss **Phillips**. There is not a central authority mandating how they should be spent. It is my understanding Mr. Smith is correct, that the safe schools money, if it talks about drugs, it talks about it more from the standpoint of safety on the school campus. Our $2 million does not all go to schools. The prevention programs range from youth to the elderly.

Mr. **Gilman**. How much of it goes to the schools?

Miss **Phillips**. I don't have that figure. It doesn't go directly to the school—when it is used at the school, it is not simply turned over to the schools for their use. It is turned over to local drug prevention programs which work with the schools.

Mr. **Gilman**. How many are there in the State, local prevention programs?

Miss **Phillips**. I don't have the figure immediately available.

Mr. **Gilman**. Could you provide that for the committee?

Miss **Phillips**. We can give that to you.

Mr. **Gilman**. I would like to know if you could provide for us how all of these funds are being channeled into the school system—the $2 million, the $1 million, the $20 million.

Miss **Phillips**. No, sir, I cannot provide that. I could ask somebody from the department of education.

Mr. **Gilman**. Could you do that for us and present that to our committee? Just so we have a better idea of how funds are being utilized for education purposes, since the Governor is stressing the need for education, since this committee recognizes there is a need for education. We would be curious how these dollars are being spent.

Mr. **Smith**. I appreciate Mr. Gilman's concerns. We are not here as a committee, though, investigating the State of Florida. We could probably go into every State and ask these questions. But I think it will give us some gage as to what to talk about in terms of a coordinated policy from the Federal level.

Mr. **Gilman**. That is precisely my concern, on how to evolve a more effective educational effort, not only in this region, but throughout the Nation.

Miss **Phillips**. It is going to probably require legislation in Florida to mandate certain things in the school, since the school boards do control that.

Mr. **Smith**. Thank you very much.

We are going to take a 5-minute recess. When we return, Congressman Gilman will be chairing the meeting for the balance of the time.

Mr. **Gilman** [presiding]. The committee will come to order.

Next we have the local criminal enforcement people.

We welcome you, gentlemen. You are the wind-up panel for us. We look forward to hearing your testimony. We will ask you to proceed. We would welcome, if you could, please try to summarize your testimony. We will place your entire testimony in the record, but I think the most benefit we can get is a good dialog with you.

Members, I am sure, have a number of questions to pose to you. So please proceed.

We will start with Mr. Bludworth.

TESTIMONY OF DAVID H. BLUDWORTH, STATE'S ATTORNEY, 15TH JUDICIAL CIRCUIT

Mr. BLUDWORTH. Thank you, Mr. Gilman.

I appreciate the opportunity to appear here. I have provided to the committee a copy of my testimony. It follows in a great measure the testimony you heard here today about education.

I would like just to quickly move into a couple of areas I would hope you would consider that I mention in my testimony.

First, I would like to recommend that the committee visit Great Britain, if you have not revisited the Harrison Narcotics Act of 1914, some of the early cases, because it is my position that in the area of heroin, that we need to look at the English model that they have been using more carefully and perhaps move into an area of identifying the heroin addict in this country, to recognize that the methadone clinics are and have been effective—there have been abuses—but we need to recognize that heroin was the narcotic developed to get morphine addicts off. We treated our servicemen with special programs.

I contend one day down the road this problem in this country will be treated like the problem that culminated in the case of *Powell* v. *Texas* where they said public intoxication was not a crime any longer, and the herion addict that cannot be cured should be treated in a different manner.

I think it would be helpful to see how England authorizes prescriptions through the medical doctors.

Second, the 1970 Narcotics Substance Abuse Act moved you in the direction of your strategy of separating the problem, so we get some idea of where we are in the country. You separated that and you provided some insight on control of prescriptions that is the heart of the problem insofar as control is concerned.

I would recommend in that area that you continue to revisit the monitoring of the prescriptions as they are being given by the various doctors. I think there are some interesting reports from California in that area.

Our problem is we need more assistance in making mutually available the treatment facilities. We used to have Lexington and San Antonio. I visited Lexington and was told "We don't ever cure a heroin addict."

I have seen a lessening of our concern for creating centers with Federal and State money where we cannot be restricted by jurisdictional guidelines so that if the State does not have something and the Federal system has something, our State judge somehow has authority, whether it be through United States Code provisions or contract that allows to share facilities in some manner. There was an interesting case out of Vermont dealing with career criminals, where they were going to close their facility and were able to get congressional authority to house those in Federal correctional facilities.

We are overcrowded in our institutions in Florida and also crowded in our treatment centers. And we need that type of ability. I think there may be more available help in the Federal than we have in the State.

The last area of joint cooperation which you asked us to really address was our experience with Federal agencies as State attorneys. We stay a lot longer in our jobs than U.S. attorneys. I have been here about 18 years now. I look at my counterparts. We have been here a long time. We see different faces frequently in the Federal counterpart structure. That is because the Republicans haven't been able to stay long enough in office to continue to have that continuity needed to be effective.

I am a Republican, as you might tell. We stay here longer. We see new people. We hear about the committees that are going to be formed and so forth. But very frankly, we need to really concentrate on that improvement. In that regard, we need to remove some of the restrictions. Federal rule 6(e), provides when the Federal authorities go to a grand jury then all information and their ability to work with us is stopped by Federal rule 6(e) of procedures.

Also in the IRS provisions, CTR reporting requirements involving the $15,000 currency transaction, hampers us. We need that information as well as the Federal agencies because we know these people on a local basis. Our agencies and our intelligence is perhaps the best.

As you know, if you have been in the Army, intelligence is usually best coming from the lowest level. And the same thing is true here.

Those are the areas I would like to throw at you, because I know you have limited time here.

I would say I have heard we don't have a Federal strategy. I get a lot of the free materials you can get from the Federal Government. One is this drug enforcement manual that they send out from time to time. It does have a Federal strategy which mirrors yours, that was the administration's strategy in 1982. I thought it was quite good. Also the testimony of William Von Rabb about heroin. I did mention one area I thought was interesting in conversing with a fellow from the Bahamas. It appears that Jamaica has a favored position with the IRS, in that our conventions in Jamaica are the ones that you can deduct and you cannot if it is held in one of the other Caribbean nations. I just wonder as you develop your carrot-and-stick policy in dealing with these countries, perhaps that type technique might help control the drug problem. That might be something that could be done with regard to the Bahamas, who are our friends, and I think try very hard to be good neighbors and we with them and perhaps that is something that could help them in this area.

Thank you.

[The prepared statement of Mr. Bludworth appears on p. 305.]

Mr. GILMAN. Mr. D'Alessandro.

TESTIMONY OF JOSEPH P. D'ALESSANDRO, STATE'S ATTORNEY, 20TH JUDICIAL CIRCUIT

Mr. D'ALESSANDRO. Mr. Chairman, thank you.

I would like to briefly put my comments into an area that has concerned me for a long time. I appeared before the Senate committee on this subject matter back in 1978. At that point there was very little if any Federal effort being done in the area of drugs in the State of Florida, and since then a huge effort has been made. A lot needs to still be done with it. But I want to tell you some of the problems it has created which you need to be aware of.

I guess as a frame of reference let me tell you the circuit of which I am state's attorney has five counties. I am on the west coast. I have Lee County, Charlotte, Glades, Collier, and Hendry, the size of the State of Georgia. I am unique in that I am in two Federal districts, the middle and the southern district.

For a long time we had in my area no Federal assistance. In 1978 there were two Federal authorities, FBI agents. Today we have 27. We have U.S. Customs, DEA, FBI. When Customs came, they had no place to stay and I housed them in my office for 2 years because they could not get an office building.

We now have the people. We are attempting to work together. We have a Federal courthouse in Fort Myers that the Government renewed and refurbished at a cost of some $2 to $3 million. And there has never been an assistant U.S. attorney or a Federal judge come down there to hear a drug case.

The people we work with, and we work on a person-to-person basis, they have to go 135 miles to get a warrant or subpena or whatnot. So what has evolved in my circuit is though we work well as people to people, we are into a situation where if we worked the case—"Look, you are going to get better time on the state level than on a Federal level, let's make it a state case." So I am doing a lot of the prosecution that the Federal Government should be doing.

On the other side of that coin, with the Federal Task Force effort, your U.S. attorneys' offices in this State are inundated with cases; there are thousands of them sitting on the back burners. They don't have the manpower to get to them or the judges to hear them. And the longer the case sits, the more problem and chances of that person not ultimately being convicted. And I think that is a serious problem and it needs to be addressed. It can only be addressed from the Federal level.

The other point I want to make, though through working relationships we have built a rapport with the Federal agencies within my area, I still have the same problem I have had since I started as a prosecutor, and I have been in this 18 years, and that is sharing and getting information from the Federal authorities. I know some of it is because of what Mr. Bludworth touched upon, certain rules and requirements that you have. But there has to be some way to change that, because we cannot combat this monster without people working, coordinating their efforts together. It is ridiculous.

The other thing that I would like to touch upon, and now I feel I am kind of talking to the church choir, you are here, you are concerned, interested in drugs. I have a city within my circuit which you heard testimony on yesterday, Everglades City. Everglades City had a disaster in 1960 and 1961 and that was a hurricane. They had a disaster this last year. And I think that that focuses and shows vividly the problem that we have in this Nation, not just in Florida, and that is this insidious monster, drugs.

Gentlemen, we have got to eliminate it and eradicate it, because it is going to destroy us.

We have coming into the mainstream of America today the people who were the radicals, whatever terminology you want to give them, the drug culture of the late sixties and early seventies. There is a changing attitude relating to drugs. We see it every day that people are being arrested. It is devastating families. Everglades City has turned brother against brother and husband against wife, and it has devastated the moral fiber of that community. And that is happening all over this country. And it cannot be stopped solely on a local level, and it cannot be stopped solely on a Federal level.

I think what we have to do is work together, pass whatever law is needed to make that happen, and then we have to get to the other areas, and that is where these drugs are coming from, and that can only happen on a State Department level or treaty level, national policy level. But that stuff has got to be open. Just trying to curtail it with a Federal task force—we have not stopped it coming into Florida or coming into this Nation. The bad guys change their tactics, and it is going to other parts of the Nation, which I guess I will really as far as getting an effort done is good, because now there are people in Missouri and Alabama and Georgia and North and South Carolina that say, "Hey, you know what they have been saying in Florida for 20 years is true, this is a national problem."

We have had experience for years learning how to combat it, we have the laws, we have the tools, these other States don't. And if it takes them 15 years to learn what we have learned, we are in bad shape. And I just think that we need a national commitment to get this thing out, because it is going to eat us up.

Mr. GILMAN. Thank you.

[The prepared statement of Mr. D'Alessandro appears on p. 307.]

Mr. GILMAN. Mr. Satz.

TESTIMONY OF MICHAEL J. SATZ, STATE'S ATTORNEY, 17TH JUDICIAL CIRCUIT

Mr. SATZ. Thank you, Mr. Chairman.

I appreciate the invitation to be here. I agree with Mr. D'Alessandro that the Federal effort has increased. It is my opinion it has not increased enough.

For the last decade we in south Florida have been dealing with the drug problem. Until recently we have been doing it with local resources. And there are cooperative efforts that go on between Federal and State agencies. The cooperation is not what it should be. A lot of it has to do with everybody being so busy and jealous in dealing with informants and finances. But drug trafficking and drug abuse obviously as you gentlemen know is flourishing in south Florida, and it is really draining our system. It not only affects our enforcement of the drug laws but also other areas of criminal activity.

For instance, organized crime. In my circuit, which is the 17th Judicial Circuit, Broward County, we took a survey. Just primary offense of drug trafficking and drug abuse, the last 3 years our caseload reflects 21 to 24 percent, just drug cases, that are labeled drug cases. Of the 8,200 cases we filed in 1982, 1,755 were just labeled primary drug offenses. That doesn't include other cases within our office that the primary offense isn't drugs but a robber or a burglar or even a murderer apprehended and in his possession he has or she has cocaine, marihuana, and what have you.

And then we have cases that are not labeled drugs or even as a secondary offense, but it is a drug-motivated type of crime. Maybe a robbery of a druggist to obtain his drugs or a fencing operation or a burglary ring of juveniles that are attempting to get money to buy drugs. And white-collar crime activities also to get money to finance drug operations, and we see murders of would-be drug buyers and drug sellers. And we estimate in our office that 40 to 50 percent of all our caseload deals with drugs. And that is really draining our resources. Our resources, as these gentlemen can tell you, have been cut recently. And it takes away from our other local problems.

We all know the drug problem is a national problem, not so much a local problem, especially in south Florida where it is a tremendous importation zone. And it is not only with prosecution, it is also with local law enforcement. Some of our major police departments have organized crime units and they are as large as their general detective divisions. What they are doing, instead of really focusing on traditional organized crime, they are busy making drug cases. It takes away from their enforcement effort of other type of criminal activities. And you see that on the Federal level, too. Drugs play such a major role in their enforcement activities. They need more judges and more prosecutors.

We take some of the cases because they have to have a cutoff point for what they call smaller amounts of drugs. So if we could get rid of some of our drug cases, we could concentrate on other activities. But the Federal system is having the same problem. The majority of their criminal cases are also drug related. And I hope that the Federal enforcement that has increased over the last several years remains there and increases and stays in south Florida.

In other areas of Florida where they are crying for Federal aid, too, I hope they get the enforcement that they need, but they don't take away from south Florida, because south Florida has benefited from the Federal task force down here, not as much as we could. And other States also are experiencing the problems that we experienced almost a decade ago. In fact, our enforcement efforts are sometimes now just focusing on those operations that have been operating for years.

So it is a really significant problem to us in law enforcement, both on the State and Federal level. And some of the Federal laws, as you have heard, really don't help State law enforcement because of the sharing of information.

Some FBI agents and IRS agents would like to share information with us to enhance our investigations, but because of certain laws, they cannot.

Mr. SMITH. Thank you.

[The prepared statement of Mr. Satz appears on p. 312.]

Mr. GILMAN. Mr. Stone.

TESTIMONY OF ROBERT E. STONE, STATE'S ATTORNEY, 19TH JUDICIAL CIRCUIT

Mr. STONE. Mr. Chairman, I, too, would like to thank you for the opportunity to appear here. I would reiterate the comments of the three previous gentlemen. I would like to, Mr. Chairman, maybe just hit a couple of areas they have not hit.

One is I know one of the purposes of this committee is to come to south Florida and try to find out what the scope of the drug problem is here. I am not so sure that when you leave here you are going to have that answer. The reason is because I don't know that there is anybody in the State of Florida who can give you that answer. Certainly from a State level we cannot. We don't have the resources. We don't have the capability and we don't have the overall coordination to be able to tell you what the scope of the narcotics problem is in south Florida.

The reason is, of course, because we are concerned with many other things in the local level, from the municipalities to the local sheriffs to the Florida Department of Law Enforcement which includes a great increase in street crime in our area. Certainly it has diminished the capability of those agencies to be able to commit the resources and the manpower to the ever increasing drug problem.

Let's face it. It is not a problem for the State of Florida. We find the majority of the drugs—a couple of years ago they even said 100 percent of the cocaine that ended up in the United States came through Florida. So it is a national problem. And if we are going to find out what the scope of it is in south Florida, we are going to have to have certainly the commitment of local law enforcement, but there is going to have to be a concurrent Federal overall commitment to not only do something about it, but to find out just to what extent that problem is. And I don't believe you can do that without the full cooperation, working together of the Federal authorities with local law enforcement.

I don't think you can bring any super Federal agency in the State of Florida or anyplace in this country and they can go into a local area and tell you the scope or magnitude of that problem without working with and talking to and coordinating with local law enforcement. Because as Mr. Bludworth has said and Mr. D'Alessandro, local law enforcement is here permanently. Most of them are born here and grew up here and live here. Many other agencies that come in may only be here for a couple of years or worked in other parts of the country and are not familiar with the problems that exist, they are not familiar with the players involved. And the only way you can find that out is through cooperation and working with local law enforcement. Certainly we need some central agency for the gathering of nothing but pure intelligence on narcotics and drug infiltration in this country.

And I know of no State agency that has that capability, other than possibly the Florida Department of Law Enforcement, but even they are on a limited scale. That should be something that the Federal Government should take the ball and run with. They should be responsible for the gathering of all intelligence that happens as far as the infiltration of drugs and narcotics in Florida, and they should be mandated to cooperate and share that information with local authorities.

Certainly I know that in many instances, as Mr. Satz said, they would like to be able to do that but because of rules and regulations, they cannot. Well, if those laws and rules and regulations are prohibiting us from doing something about the drug problem, let's change them. Certainly we have a rule and regulation that says an FBI agent or customs man or DEA man cannot share information with the local FDLE man, there is something wrong with the rule or regulation, because we are all on the same team. If we don't coordinate, we will never do anything about the problem.

I finally believe that it is a Federal problem. I have served the past 2 years as chairman of the Governor's Council on Organized Crime, as legal adviser to the statewide grand jury. We held hearings all over the State about the problems that local law enforcement face. They say they cannot do anything in any other areas because they are inundated with the narcotics problem. But they will tell you to each agency that exists in this State that they are not getting the full cooperation, the full information, the full exchange of information and intelligence from the Federal Government that they should be getting. If they were here, they would each tell you that.

So we feel if there is anything this committee would do would be to someway change whatever rules or regulations exist, or as far as funding is concerned, to mandate some type of central coordination and cooperation between Federal, State, and local agencies.

Just a couple of other areas.

I think that if we are going to say that we are committed to doing something about the narcotics problem in this State, then I think we need to make a total commitment, not just a partial commitment.

We are all concerned about the invasion of Afghanistan. We are all concerned about the marshaling of troups on the Polish border. We are all concerned about the shooting down of the KAL-007 commercial flight. But we are being invaded daily by an enemy, and that is the infiltration of drugs and narcotics into this country, and that is a greater enemy than the Russians invading Afghanistan. That is doing something to our young people, to our society, to the very moral fiber of our country. And we need to take a stand. Not only from law enforcement, but I think our State Department could take a stand.

There was a recent NBC news program on the Bahamas. They are now an off-loading station for the narcotics. They are not using the DC-3's. They can use smaller planes.

Our country could say, All right, we find out and believe that the people who are in a position of government in the Bahamas are aware of this, and certainly we, the biggest income they have is the tourism of the United States, we could put some pressure on those Government officials to do something about their country as being really a stopover for infiltrating this country with narcotics.

The same way with the South American countries. We feel those are areas we could deal with from a different viewpoint than law enforcement.

In conclusion, we hear a lot about organized crime. We hear that term all the time. I have never heard a cliche called organized law enforcement. And that is what we need in this country.

Thank you.

Mr. GILMAN. Thank you, Mr. Stone.

[The prepared statement of Mr. Stone appears on p. 313.]

Mr. GILMAN. Gentlemen, you have certainly pinpointed some very important areas for our consideration.

I note that the Governor's strategy for drug control efforts that we received this morning—I don't know if you have had an opportunity to review this yet. Have you had an opportunity to see this paper? It is a new strategy that the Governor is proposing based upon recommendations of the Southern Governors Conference to the National Governors Association. One of the major points in it is a need for greater prosecutorial commitment. If you have not read it, I might just read.

> Prosecutors are hindered by heavy court dockets and broad responsibilities that make it difficult for them to dedicate resources to the prosecution of major drug smuggling operations. Alternative approaches to drug prosecution and better coordination among circuits dealing with multijurisdictional organizations are needed. Prosecutors should take steps to expedite drug enforcement cases as has been done successfully in cases involving career criminals, and additional resources are needed for prosecution of highly financed and well defended drug organizations.

And then in the implementation strategy:

> Governors should seek strong commitments from their respective legislatures to insure that prosecutive offices are given the necessary support to recruit and retain qualified prosecutors for a specific assignment to drug cases and Governors should urge that state prosecutive officials coordinate with Federal task forces and U.S. attorneys to minimize duplicative efforts and maximize the impact of the prosecutive efforts. This effort should include the newly established law enforcement cooperating committees and other recognized processes created to provide mutual Federal, state and local assistance.

I would welcome your comments with regard to those proposals that the Governor is making.

Mr. STONE. Those proposals are some we have been seeking for some time. Mr. Lewis, of course, has sat on the appropriations committee in the Florida House and Senate and is aware we have for years tried to get a sophisticated prosecution unit in some of our offices for drugs. We would welcome that. We hope that will happen. We hope that the Governor and the legislature will recognize that commitment of the southern Governors and the legislative process starts this year translating it into funds.

But we got cut back last year. Many of us had to go in and dismantle special units in order to just take care of the ordinary case load. That is the State. And we find in south Florida, for example, that the U.S. attorney's office here is in dire need of additional assistance and judges. So if that is implemented, it will mean the U.S. Congress will have to appropriate more money for U.S. attorneys and judges in south Florida, and the State legislature will have to appropriate more funds for State attorneys.

Mr. GILMAN. Mr. Satz.

Mr. SATZ. I agree with what Mr. Stone said. Not only did they cut back our budget, but they also gave us restrictions. We gave raises of 2.7 percent for the whole year, and I lost six prosecutors in the last month.

Mr. GILMAN. How substantial was the State cutback?

Mr. SATZ. I don't know.

Mr. STONE. They started out as an 8-percent cutback in the middle of the year last year for everybody in the State government. In the middle of the year, they cut everybody back 8 percent. Then they started out the budgets and appropriations for the next fiscal year 4 percent below the previous year, and then added on a continuation budget which brought some of us back up to our present level; but nothing to continue with new programs.

Mr. GILMAN. That was an across-the-board cut?

Mr. STONE. Yes; it ended up hitting law enforcement harder than other agencies because this was the year for education in Florida and law enforcement was put on the back burner. In fact, it was kicked off the stove.

Mr. D'ALESSANDRO. The only comment I would like to make is I agree with the Governor's concept. I think what we need to do—I am talking realistically now—drug cases involve complex cases, not only from the investigation but from the prosecution. Every one of us can tell you we have had cases that took 4, 5, 6 months in court. You cannot prosecute those cases and make the commitment to do it with unskilled new attorneys out of law school. You need to keep prosecutors who will make it a career and will develop the time and the effort and their skill. You cannot keep them if you cannot pay them because the pasture is greener outside.

Mr. GILMAN. Mr. Bludworth.

Mr. BLUDWORTH. Realistically, with the restrictions we have on funding, and so forth, we need to utilize what we have a little better. I am willing to cross-swear U.S. attorneys as assistant attorneys, follow the prosecution from the investigation—if my State forum is better than theirs or vice versa, they swear in my assistants who would have little difficulty trying the cases in the Federal court with their assistance.

This has been talked about a lot, but it has never been really implemented. I think we perhaps could explore that type of utilization and find that we could select proper forums that might enhance our ability to work together with these cases. That would probably help as much as anything.

There are a lot of people out there perhaps, but not that many identifiable unlawful drug networks. Of course, I read the testimony that has been presented before your committees in Congress; I get that. I just wonder if we have ever identified all the huge networking of organized drug importers. I am not so sure there are that many, really.

Mr. GILMAN. Well, I am not going to comment on that. I think you might want to talk to some of our drug enforcement people, and they may give you a little more information with regard to that. It seems to me the most critical problem you are talking about right now is not only your own budgeting but the lack of Federal personnel to help with the backlog and help with the prosecution, as well as better cooperation and exchange of information.

Am I correct? Are these some of the most critical areas?

Mr. D'ALESSANDRO. Yes, sir.

Mr. Bludworth touched on something I would like to expand upon and show you some of the situations we get into. I had a situation where I cross-designated an assistant U.S. attorney and he prosecuted cases at the State level. We went to be cross-designated in the Federal level on a case, which was good. But under your Federal system, your witnesses before a Federal grand jury are not sworn to secrecy but the prosecutors are. And I can have sworn in my office someone cross-designated to work with the Federal authorities, go before the Federal grand jury, and that person cannot tell me what is happening because of a rule or limitation. And the witness can go out and tell me. But my assistant who has been cross-designated as an assistant U.S. attorney cannot tell me.

Mr. GILMAN. Mr. D'Alessandro, I am going to ask if you would submit to our committee a little memo on your suggestion. We ought to take a look at that.

Did anyone else want to comment on what your most critical needs are, with the exchange and with the beefing up of the Federal prosecutorial staffs, and with your own budgeting? Are these some of the most critical needs?

With regard to exchange of information, of course we are confronted—we addressed this problem before with the right to privacy, and you get into IRS problems; with the protection of informants when you get into some of the FBI folders. I would hope you might want to consider those needs as you suggest a greater communication and more cooperation, how we overcome those problems, and they are real problems, as we try to address this issue in the past.

Mr. STONE. I think there is a bill now before the Senate that amends the Freedom of Information Act which will make certain parts of that act closed, Government files closed to the public. I think that is good in the area where you have—most of your sophisticated drug cases, when you go after the high level people you have to do it with informants or undercover agents. You certainly cannot take out 10 police officers with uniforms and infiltrate a drug operation. And if you don't have that protection for those people, then you are not going to get the cooperation that you should have.

That is an amendment that is now pending before the U.S. Congress that we feel would be one that could certainly be looked at, that would enable them then to share some of the information.

Mr. GILMAN. Since this problem has arisen before and since we haven't adequately addressed it, I am going to ask our respective staffs if they would take a look at this and see what our committee can do to try to enhance the cooperative exchange of information between the Federal prosecutors and the state prosecutors. I think it is an extremely important issue.

Someone mentioned the need for a better intelligence apparatus. We are continually confronted with that. You might be interested to know when Admiral Thompson appeared before us yesterday he indicated that a new intelligence center was being developed here in Florida. The concept included the establishment of an information center called IOIC. It is a multiagency entity under Coast Guard supervision, staffed by the Coast Guard, by the Air Force, by the Marine Corps, DEA personnel. It has operated since December of last year. It is not a command and control center, but it analyzes a surface picture and puts together recommendations for surveillance and interdiction activity and submits these to the responsible authorities.

There is some effort being made in various directions to beef up our intelligence apparatus. We recognize that we have not done what needs to be done. EPIC has helped in the past, but that too needs to be expanded and there needs to be a better exchange.

Mr. **Bludworth**. Just two points. I hope your counsel will look—the availability, apparently talking to the Federal agents, they have the same problem. Concentration on the currency transaction reports—they seem to be quite effective.

We have had experience working with Federal agencies. We go to IRS intelligence with a separate information case to get around the Jenks Act and other 6(e) problems, where they have an ongoing Federal grand jury, that may last 2 years—what that does to us when we are working is similar people—once we establish some kind of rapport. So the CTR reports—10,000 I think now is the requirement—15-day reporting transaction, something in camera as to some agency without being violative of the Federal Privacy Act.

Just one other quick thing about forfeitures. I am concerned. We are the people at our level that really develop the information that results in a lot of the forfeitures, whether it be Federal or State. I stress this to you. We don't get the benefits of that.

Recently, we took two lots worth $90,000. That goes to the State of Florida. In other words, we, as State attorneys, when we get a huge boat, $170,000, that went to the police department in the jurisdiction. We as prosecutors don't get the benefit of these forfeitures.

Likewise, I hope the Federal Government is not getting into the area where we are doing this work in Florida and providing the information. But where it is Federal, I hope you are not going to let your agents get in the numbers game of telling you, "Look what we have recovered; we have 92 vans and 4 airplanes," when it was really base level Florida intelligence that put it into a Federal posture, and therefore that money goes to Washington.

I know our Congressman Tom Lewis is not going to let that happen.

Mr. **Gilman**. Knowing our gentleman from Florida, Mr. Lewis, I know he is going to fight hard to make sure those dollars flow in the right direction.

My time has run. Mr. Lewis.

Mr. **Lewis**. Thank you, Mr. Chairman.

I think it is very fortunate, Mr. Chairman, that we have four of the toughest crime fighters in the country right before us.

Unfortunately, gentlemen, other hearings and pressing district business have caused many of our Congressmen to have to leave. I want you to know I appreciate you coming over for the short time you are spending with us. I would like to ask you a couple of questions.

First, Mr. Stone, what legislative proposals would you suggest in order to reduce or eliminate the radar gaps?

Mr. **Stone**. My information from the Florida Department of Law Enforcement to the Federal agencies is that we do have a low altitude gap between Stuart and Sebastian which covers just about my entire judicial circuit, and which is an area that probably has anywhere from 50 to 100 private airstrips in that area. I think it is going to take Federal legislation to require or to beef up the radar that exists in the southern part of Florida.

Certainly they have it in Miami and they can detect the low level flying planes that come up as far as Stuart. But then they get into a rural area. And there is no radar that picks it up from there until they get to Patrick Air Force Base.

That is a gap. That is the information I have from agents, at least two Federal agencies.

I think certainly there is no State legislation that can take effect, legislation that requires that the radar from the tip of Florida to the Georgia border all the way around to Alabama be constant all the way for low level flying planes.

Mr. LEWIS. Thank you.

I guess a comment maybe would be helpful from all four of you regarding mandatory sentences in Florida. We have them for crimes involving drugs and weapons. In some ways, I am frustrated and disappointed in the way that some of these are flagrantly disregarded, particularly in the weapons area.

Do you feel mandatory sentences, either from the Federal level or from the State level, will be helpful, particularly with the overcrowding of the prisons?

Mr. BLUDWORTH. I think it is really helping Florida insofar as Florida is concerned. It has diverted many of the people up the coast. In other words, they go up the coast because of the mandatory sentences. The more critical problem we have is we are catching those people in Florida; many of these people then plead to a Federal agency who, without correspondingly working with us, begins to use a person that is under sentence in Florida as an informant. They are often taken into their programs, they are given identities, taken away, and that concerns us that we are not apprised of that.

In fact, the person we think is a target is really escaping that mandatory punishment by that sort of procedure. That bothers us a little bit.

Mr. STONE. Mr. Lewis, there is a bill now I think before the U.S. Senate, Senate bill 1762, which is a consensus crime bill that is similar to the one that didn't make it in the past that increases the penalties for drug traffickers. We would urge that that be looked at favorably and considered in the U.S. Congress. It has been reported out in the past by the Senate Judiciary Committee and is now going to be considered by the full Senate.

Mr. D'ALESSANDRO. The only comment I would like to make, sir, I believe I have found the mandatory and stiff penalties help. I have set forth in my testimony an instance of where we were working with the State and Federal authorities, and the person pleaded with the Federal authority to take him into custody, and the Federal authority said no, because he knew our penalties were stiffer.

I think the answer to that is very simple. It is costly. But we have a problem. We have to put these people away if they are convicted. We have to spend the money. We spend a lot of money in this country for a lot of things. These people, we have to take them off the street because they are a danger to society. And that is a price I think the public wants to pay.

Mr. Satz. Mr. Lewis, I think they are a definite help. It is unfortunate that we have a lot of the mules being sentenced mandatory minimums and we are not getting to the higher level people.

I guess you know about our sentencing guidelines now. I am really opposed to those. We tried an individual for the sale, trafficking in heroin. We got the mandatory minimum 25 years. That is more than you get for murder two now in the State of Florida. So I think they have helped in a lot of areas.

As I said, a lot of people who should be sentenced under them are not apprehended.

Mr. Lewis. I would like to also ask you about the possibility of further amending the Posse Comitatus Act to allow for more military arrests. Do you feel that would be more helpful?

Mr. Stone. Absolutely; no question about it. I think the military is helping; there is no question—the use of the radar and certainly the military. But the amendment to that act has taken a far greater role. I think they can even take a greater role. The military could actually do the interdiction themselves.

Recently, a couple of years ago, there was a plane that left Cuba and flew across Florida. I think it was a DC-3. It was not identified and came across U.S. airspace, and Homestead Air Force Base sent up a couple of jets and buzzed it and made a determination it was not a security threat to the United States and let it go. It landed in Texas loaded with narcotics.

Certainly, we don't want to shoot that plane down. But there is no reason in the world we could not require, when a plane that violates U.S. airspace and is not identified and we can't identify it—bring it down safely, land it, and make it identify itself. Certainly there is more of a threat to this country, as much a threat by the infiltration of narcotics as it might be by some plane flying over the State of Florida.

We feel they could do that. Just because it is not a threat militarily does not mean it is not a threat to the country.

Mr. Bludworth. I have some reservations. I think it has an original good purpose in keeping the military out of domestic affairs. I think we ought to look cautiously at this.

There is a historical good reason for not giving too much authority to the military in this respect.

Mr. Lewis. Thank you, gentlemen. My time has expired. I want to thank all four of you for coming this morning. Whatever we do in Congress and the State legislatures, and regardless of what the law enforcement does, it all winds up in your lap to come up with the prosecutions and sentencing.

I certainly appreciate the work that you do under very adverse circumstances.

Mr. Gilman. Mr. Lowe, our counsel.

Mr. Lowe. Mr. Bludworth, I would just like to assure you that, number one, we as a committee project the staff will examine the issues of the prohibitions against sharing information and 6(e) and the other statutes that affect this, and we will also share that with you once that is accomplished. In return, I would appreciate if you would send to the committee any suggestions in terms of changes so that we can incorporate that analysis within our effort.

One other thing I wanted to ask you—and I don't want to open a Pandora's box. You started out initially suggesting that this committee might do well to either examine the English experiment by traveling there or having them travel here.

Are you suggesting some form of legal extension of heroin?

Mr. BLUDWORTH. I think you should go to England. I really think you should go there and see it. I have not been there myself. I have had the opportunity to talk to people. I am advocating historically it is a time to revisit this in this country. I believe it is timely to identify the narcotic heroin addict, to treat it as a medical problem primarily, to look at the enforcement of the authorized narcotic prescription to an authorized physician to treat it medically, identify the person. And I think in balance it will be cost effective to this country.

It certainly says to the heroin addict, who is an addict—they are going to need it; they actually have the need for it. If you accept that as a fact, which I don't know, you have to get the medical testimony; then we need to treat it differently than drying up the supply.

I suggest that I think down the road it is going to be treated where a person that has that medical tendency to self-addiction, that it will be like 1967 when they said alcoholism is no longer a criminal offense in the United States.

Mr. LOWE. But drug addiction is not a criminal offense in this country today.

And I think, number two, the present approach is one of treating the addict as a physically ill individual. And we do treat—once he is identified as addicted, we do treat them in a medical fashion. The problem is that with each stage, when we start legalizing a certain type of behavior, I think we are saying something to the people of our culture.

Mr. BLUDWORTH. Morphine was used by our soldiers in World War I, and the Germans developed heroin to get the people off morphine.

Mr. GILMAN. Mr. Bludworth, it is my impression that the heroin maintenance program in Great Britain has not been effective; that placing people on heroin maintenance is not successful because there is a greater need to increase the dosage as you go along with heroin. But we will take another look at this based on your suggestion.

It is my impression that Great Britain today has the highest heroin addiction rate in the world. I don't think the British authorities are prepared to tell us that it is working.

Mr. BLUDWORTH. I have visited the methadone clinic in Miam several years ago. When you asked that lady about methadone an if we had methadone abuses.

Mr. GILMAN. We have evaluated methadone in a number of States. I visited one of our largest methadone clinics not too long ago in New York City. In Beth Israel Hospital. They have a tremendous waiting list. While there are abuses and some failings, it still has allowed people to be put back into productive society while receiving medication. It is probably not the best type of medication that we can find. I hope we will continue to search.

But, at the same time, while on methadone people are able to be productive and to lead a fairly normal life. Yes, there are abuses; they sell it and abuse it. We recognize those shortcomings. But it still is a working method for putting people back into productive society.

Again, gentlemen, I want to thank you for taking the time, for providing the kind of suggestions and the thought that is so important. We recognize you are out there on the front line, and we are here to help. We are trying to find better ways of combating this insidious disease and this force that is corrupting our society.

We hope that we can strengthen the bulwarks through some of your suggestions. We hope you will not limit it to this appearance. If you have some further thoughts, please write to us and we will receive it and welcome any suggestions you might have.

Again, I want to thank our good colleague, the gentleman from Florida, Mr. Lewis, for bringing us here, for helping make arrangements, for having such a worthwhile cross-section of witnesses that have provided us with a further insight into the problems, not only in Florida but problems confronting our whole Nation.

There being no further witnesses, the hearing stands adjourned.

[Whereupon, at 1:15 p.m., the select committee adjourned, subject to the call of the Chair.]

PREPARED STATEMENTS

TESTIMONY OF ARMANDO CODINA, COCHAIRMAN, MIAMI CITIZENS AGAINST CRIME FEDERAL COMMITTEE

Chairman Rangel and members of the Committee, it is a pleasure to welcome you to South Florida and to provide to you a citizen's view of the drug related crime problem in this area.

I am Armando Codina, Chairman of the Board of Intramerica Investments, Inc. Today I am here as Co-Chairman of the Miami Citizens Against Crime (acronym MCAC) Federal Committee.

MCAC was founded 23 months ago by the Greater Miami Chamber of Commerce, the Miami-Dade Chamber of Commerce, the Latin Chamber of Commerce, the Citizens Crime Commission of Greater Miami and the Orange Bowl Committee. We have 190 individual members. In addition, over 150 civic, cultural, religious and advocacy organizations have officially endorsed our objectives as sponsors. Thus, Miami Citizens Against Crime is civicly, professionally and ethnically representative of our entire community.

The fundamental objective of MCAC is to use the collective weight of the public in assisting in bringing about improvements in the Criminal Justice System of South Florida. We were convinced from our beginning that this area was in a crime emergency situation and that the Criminal Justice System here, as then functioning, was unable to cope with it effectively.

We recognized that in the long run the root causes of crime had to be dealt with. Our members individually pledged to work in that direction, and indeed have been doing so in many of their community endeavors aside from Miami Citizens Against Crime. But at that moment, it was existing crime and the forces to cope with it that had to be addressed.

Our citizens were frightened, outraged and dismayed.

FBI statistics had Dade County No. 1 on the crime list, at 11,582 serious crimes per 100,000 population, twice the national average.

The homicide rate in Dade County had increased 120 percent during the previous six years.

In 1980 in Florida, there was an aggravated assault every 10 minutes; a robbery every 15.5 minutes; a rape every 1.5 hours; and a murder every 6.3 hours; with Miami as a major contributor.

National media had focused on Miami crime, largely with good reason.

We were well aware that the Miami area had a core crime problem not unlike that of other large urban concentrations in our country. Nevertheless, we did not accept crime in any dimension as a "normal" way of life, and we set about attacking that core with all the force which we could bring to bear. That, however, was predominantly a local and State of Florida problem, with which its citizens and officials had to deal; and it was not this core that turned us toward the Federal government for help.

South Florida had two additional elements in its crime situation which were overwhelming aggravants and which were beyond our control and responsibility. Both—illegal entry of drugs and entry of illegal aliens—were, and are, responsibilities of the Federal Government, responsibilities which were not being met.

The magnitude of the flow of drugs into and through South Florida from outside the United States' borders was unique and disastrous.

Over 15,000 metric tons of marihuana, 75 percent of total entering United States.

Over 40 metric tons of cocaine, 90 percent of total entering United States.

Over 90 million dosage units of methaqualone (quaaludes), 80 percent of total entering United States.

Even where the actual delivery took place elsewhere, the bulk of the negotiations, importation arrangements and payments were here.

The effects of this drug traffic were pervasive, a major contributor to violent as well as petty crime, and terrifying to the public. It generated crime at all levels and threatened the society we cling to for security, economic progress and social well-being. The unbelievable profits of the trade represent enormous power to corrupt our systems, control large segments of our economy and fuel the machinery of organized crime.

We believe that no other present domestic national problem comes close to approximating this one in terms of its chilling effects on our tranquility and daily life.

The foregoing describes in summary form our drug related crime situation in 1981, particularly as regards Federal responsibilities. Happily, that situation has changed substantially. The South Florida Federal Task Force has been a major contributor in bringing about this change.

On December 29, 1981, four of the leaders of our organization, including myself, travelled to Washington and spoke with Vice President Bush and with Presidential Advisor Edwin Meese. We outlined the plight of our community, urgently requested more vigorous Federal pursuit of their border protection and law enforcement responsibilities in this area and suggested some specifics that should be included in such a program.

On February 5, 1982, President Reagan announced formation of the South Florida Federal Task Force. February 16th Vice President Bush was personally here to publicly announce details of the Federal Task Force undertakings and its specific goals. He returned again on March 16th to provide an extremely encouraging report on actions already taken to get the Task Force underway and ancillary moves to strengthen the Federal criminal justice system in South Florida.

The beginnings were tremendously important to this community. The demonstrated commitment of the Federal Government brought a great lift in spirits when badly needed, and it provided the impetus for a new and determined effort of rid this area of crime.

A great deal of progress has since been made at the local and state levels, through a strong coalition of citizens and government. New taxes for crime fighting were requested by the citizens and approved; increased law enforcement and justice system resources were approved by governing bodies; and people from throughout our community and State began to participate in the process of restoring public safety. Little of this would have been possible without the lead of the Federal commitment.

In the ensuing months the form and mode of operations of the Federal Task Force rapidly took shape. Indeed, the swiftness of getting into action was, in itself, another strong element in encouraging commensurate local and State endeavors.

It is not, however, one of my purposes here today to attempt to describe the structure and day-to-day work of the South Florida Task Force. You will hear that from others more qualified. But I would like to outline for you some of the factors which we the citizens believe to be important in the formation of this Task Force and its operations to date and the continued expansion of the fight.

These factors are the following:

Firm backing and involvement of the top level of the Federal Administration and the Congress. This is extremely important not only because of the commitment, but also because of the necessity for cross-agency coordination.

Long-term bipartisan commitment. Serious damage to the massive drug traffic network cannot be done in any short period of time. We must prepare for a lengthy and difficult fight that will not be abandoned on short-term expectations, and we must be willing to pay the price.

Nationwide emphasis. The drug problem is not native to or peculiar to South Florida. It reaches every part of our country and must be fought in every part of our country. The establishment of the twelve additional regional task forces, with drug related crime responsibilities, and the establishment of the six region National Narcotics Border Interdiction System are right on target. We must be prepared to continue this nationwide effort until the problem is under control.

Extensive participation by the U.S. military, within the confines of the revised Posse Comitatus Act. It is obvious, even to the novice, that this brings to bear equipment and resources vital to the off-shore interdiction of drug traffic that would not otherwise be available.

Significant and balanced strengthening of the entire Federal Criminal justice system in the area, from law enforcement through Assistant U.S. Attorneys, Federal judges, courts and the like. It does no good to apprehend more drug smugglers and drug dealers if they cannot be efficiently and expeditiously brought to the bar of justice.

Forceful focus on a limited number of primary problems. Those problems may vary from area to area, but the Task Force approach should not be diluted by assignment of all Federal law enforcement responsibilities in the area.

Permanent, as opposed to temporary, duty augmentation of applicable Federal forces. Circumstances did not originally permit that with the South Florida Task Force, although the transition is now largely complete. The reasons for permanent forces are obvious, i.e., endorses the long-term commitment, prevents shifts to one area at the expense of another, and eliminates the inefficiencies inherent in temporary duty manning.

A strong and experienced Local Coordinator of the Task Force, able to work with local law enforcement as well as with the various Federal agencies involved. The South Florida Federal Task Force was particularly blessed to have Mr. Charles Rinkevich in that capacity for the first 15 months of its operation, and to now have the professional leadership of Rear Admiral D. C. Thompson, U.S. Coast Guard.

Task Force liaison with the local non-governmental community. There are undoubtedly a number of ways of accomplishing this, but it is very important that the general public of the area support the work of the Task Force and look upon it as part of their own total efforts in reducing crime.

Now, let met address our perceptions as a community of the success or failure of efforts thus far taken in the war on drug related crime.

First, drugs are still coming into our area from off-shore, we are still one of the management centers for this loathsome traffic, and drugs are still available on our streets. That is neither a success nor a failure. It *is* a reflection of the huge effort required, the fallacy of short-term expectations, and the importance of long-term national determination. What is encouraging is the greatly increased seizures of drugs, drug traffickers and drug trafficking equipment, the significant disruptions and displacements of the flow patterns, the reduced incidence of drug traffic-related violence and the increased incidence of apprehension and prosecution of the key figures involved.

In addition, it should be noted that the work of the Task Force in the drug arena has to some degree freed local law enforcement agencies to concentrate on street crime.

Second, and sometimes unnoticed, the Task Force has led a very effective effort in the reduciton of traffic in illegal firearms, with seizures and arrests greatly increased. Here again much work remains to be done, but this is another blow struck against the drug traffickers who are the principal users of these firearms.

Third, this progress, although incomplete, together with the demonstrated commitment of the Federal Government, has brought renewed hope and enthusiasm to this community and has been a major factor in our determination to press on with our own responsibilities.

In February of 1981 a local poll of Dade County residents asked the following question: "In view of the crime situation in Dade Cunty at this time, would you say you are so concerned you would seriously consider leaving Dade County?" The response was 38.9 percent "yes." In February, 1983, the same question was polled again; response: 9.3 percent "yes." We believe the Federal Task Force has much to do with that change.

Fourth, we believe the previously mentioned nationwide expansion of internal as well as off-shore prosecution of the war on drugs and drug related crime argues well for the future. It makes sense to bury the problem, not push it around the country.

Finally, allow me to point out a few aspects of the fight against illegal drugs and drug related crime that appear to merit special attention. We recognize of course that considerable effort is already being expended on each one of them.

These items are:

Foreign production and distribution. Most if not all of the foreign sources are well known. Most are countries with which the United States has extensive relations. We believe the U.S. Government should use the full measure of its leverage in persuading such countries to stop the production and export of illegal drugs.

The Castro Connection. We believe there is more than sufficient evidence to indicate that top level officials of the Castro government are aiding in the distribution of illegal drugs to the United States. assisting in this traffic can only be aimed at damaging the U.S. society and using the drug traffic network for other nefarious schemes in the Caribbean littoral. The most vigorous measures feasible should be used to lay bare and stop this involvement.

Domestic Production. This appears to be an increasing problem and is not an insignificant part of the total supply. Its existence and continuance also speaks volumes to foreign observers about the degree of sincerity of our own intentions to be rid of the drug menace. Reportedly, this is already a serious impediment in U.S.

overtures to other governments concerning crop elimination. We must expeditiously reach agreement between Federal and state governments and the courts on how to properly attack this domestic problem and then quickly get on with eliminating it.

Balance in the criminal justice system. As indicated earlier in this testimony, it does little good to apprehend more drug smugglers and drug dealers if we do not have the means to expeditiously process them through the justice system. Speaking for our own area, the U.S. Southern Judicial District of Florida is crucially short of Federal judges. That situation is dramatically worsening as drug and firearms arrests increase. Meanwhile the necessary new judgeship legislation is seemingly at impasse in the U.S. Congress.

Demand versus supply. To state the obvious, the ultimate answer to the drug problem lies within our people. When we stop using the junk, the suppliers will stop bringing it ashore. We must therefore increase our national efforts, at all levels, to lead our people away from drugs. That requires a great deal more education on the facts regarding personal health consequences, destructivenes in the society and the economy, and the causal relationship to crime. The leadership for that effort must come from every element of our society, including yours.

In closing, I want to express to you, as we have to them, the deep appreciation of our community for the work being done in our behalf by the Federal agencies combating drug related crime. We believe they are on the right course. We know the fight is far from over. They need your continued and determined support, and that of all of our national leaders, irrespective of partisan considerations.

Thank you for the opportunity to appear today.

TESTIMONY OF JAMES L. HARLEY, DEPUTY DIRECTOR, DIVISION OF LOCAL LAW ENFORCEMENT ASSISTANCE, FLORIDA DEPARTMENT OF LAW ENFORCEMENT

Mr. Chairman, you have requested, and I am pleased to provide, certain information concerning the drug problem in Florida.

First, let me say that Florida's unflattering reputation as the "drug import capital" of the nation, is no secret. Florida has emerged by its proximity to drug source countries, its climate, its terrain and vast coast line, as a major import point for drug shipments into the United States, particularly marijuana and cocaine. In addition, that same climate and terrain have fostered a domestic marijuana cultivation problem, which is not a problem unique to Florida, but nevertheless is a drug problem with which the law enforcement community must deal.

The widespread importation, cultivation and distribution of dangerous drugs has seriously and adversely affected many aspects of Florida's economy, and these affects on the criminal justice system are stifling.

While Florida is still viewed by the Drug Enforcement Administration as having the most serious drug smuggling problem of all the states, it is encouraging to note that during the past year (1982) total drug seizures reported voluntarily to Florida's Uniform Crime Reports Program decreased by in excess of 18 percent, the amounts of drugs seized decreased 69 percent, and total arrests of drug violators decreased nearly 10 percent. Drug cases, however, continue to account for a significant portion of law enforcement resources expended in this state. The Florida Department of Law Enforcement in 1981, and again in 1982, expended almost 50 percent of its total investigative manhours in drug investigations. My understanding is that of the total felony cases filed in 1981, and again in 1982, in the state's circuit courts, approximately 15 percent each year were drug offenses. I also understand that approximately 7 percent of the offenders housed in the state's corrections system during 1981, were there because of drug offenses, and approximately 9 percent in 1982. I understand that during these same periods approximately 23 percent of the offenders within the state's probation and paroie systems were there as a result of drug offenses. In addition to these directly related narcotics and dangerous drugs offenders and offenses, while I am unable to quote absolute statistics, it is well accepted and undeniable that a considerable number of property and violent person's crimes are committed which are directly related back to narcotics, and which again impact the criminal justic system. These offenses range from those committed while under the influence, those committed to support consumers' habits, those committed in organizational disputes, and those committed in laundering and disposing of illegally gained profits.

Mr. Chairman, you have also asked me to speak to the issue of efforts to combat drug trafficking and drug abuse. The reputation earlier described which is attributed to Florida, and Florida's desirability as an import point, are due to many factors which have been touched upon earlier. I must be quick to point out that this reputation is certainly not indicative of a lackadaisical attitude nor of a failure to agressively act on the part of the state's criminal justice agencies. To the contrary, I would posit that the State of Florida has assumed certainly one of the most aggressive, no-nonsense and innovative leadership roles in this country in dealing with its narcotics problem and, considering what would be obvious results of anything less, has done an astoundingly commendable job.

This state, perhaps more than any other over the past decade, has simply had a lot to contend with and react to in the drug war.

We have seen increased complex, sophisticated and financially strong drug organizations. We have seen the tremendous adaptability of these groups to effectively counter our efforts. We have seen varying and slow-in-coming coordination of resources of the governmental levels. But, we have also seen a resolution of many problems and a growth in our reactive agencies to cope with the demands placed upon us.

What efforts have been waged by Florida and federal agencies? First, let me speak to Florida.

Florida has established a central repository into which criminal investigative and intelligence information is input by, and within which the data is correlated and distributed back to, virtually every law enforcement agency in this state, as well as many agencies out-of-state. This system, called the Florida Intelligence Center is somewhat similar to the Drug Enforcement Administration's El Paso Intelligence Center (EPIC) and serves as a point for intelligence analyses, targeting of major operations, and as a pointer index linking agencies who hold similar information relating to criminal activities, including drug offenses and offenders. This center has a current membership of over 70 percent of law enforcement agencies within Florida, representing over 90 percent of Florida law enforcement officers.

Florida has exercised significant initiative in designing and passing legislation enabling its criminal justice system community to better deal with and more adversely impact drug operatives. Some of these laws include:

Racketeer Influenced and Corrupt Organizations Act, providing for prosecution of entire criminal organizations and civil forfeiture of real and personal property used in the course, or acquired with the proceeds of, their criminal activities;

Contraband Forfeiture Act, which allows funding to pass back to state and local law enforcement agencies to offset the costs of major investigations;

Drug Trafficking Laws, providing for minimum mandatory sentences for drug violators and a graduating scale of penalties commensurate with the seriousness of the violation;

Wiretap Statutes, providing for court-authorized interception of telephonic communications (between drug violators);

Mutual Aid Act, providing for definitions of inter-jurisdictional authorities, liabilities, agreements and resource exchanges within and among the various law enforcement agencies engaged in an investigation of drug violations;

Conspiracy Provisions, providing for charging those who direct or participate in drug smuggling ventures to be sentenced as principals; and

Statutory Creation of Local Law Enforcement Assistance Division, within the Department of Law Enforcement, to assist in and coordinate activities of local law enforcement agencies.

Florida initiated a statewide domestic marijuana detection program three years ago, which is designed to assist local agencies in locating through aerial detection, and eradicating domestically grown marijuana.

This program, some funding for which has been contributed by the Drug Enforcement Administration, generally involves joint participation of numerous local agencies engaged in common operations. As an item of interest, hopefully in response at least in part to this program, we are seeing growers modifying their techniques, particularly growing fewer plants in a greater number of sites, presumably in an attempt to conceal the plants from aerial detection.

As part of this domestic marijuana program, the State of Florida in a prototype and innovative approach, applied paraquat to a growing marijuana site, in August of 1982. This effort, provided not only research relevant to using the herbicide for this purpose, but also was conducted with acknowledgement of international ramifications associated with this country's dealings with foreign "drug source" countries in eradication efforts. I am prepared to present slides regarding this application later during this hearing.

The Department of Law Enforcement has initiated a program to integrate other law enforcement, prosecution and regulatory agencies to deal with organized crime in a muti-faceted approach. Success will be measured not only by traditional methods such as arrests, but by other factors such as disruption or dislocation of organizations, license revocations, and seizures of assets. The intent is to severely impact the criminals through a more complete attack, i.e., the entire organization, its "legitimizing of illegal profits", etc.

Florida has entered into an agreement with its National Guard to facilitate the use of resources during regular training missions to assist in efforts to detect illegal drug activities.

Florida has worked in concert with the National Aeronautics Space Administration (NASA) in testing sophisticated aerial detection equipment which, if perfected, may hold the end result of states being able to more quickly and more certainly detect growing marijuana in a much more efficient and effective manner.

Florida has conducted several periodic roadside inspection programs in conjunction with its highway patrol, which are designed, using "sniff dogs", to inspect trucks on Florida's highway and locate illegally transported drugs. This innovative approach not only increases the potential to intercept illegal drug shipments, but also provides a previously non-existing deterrant to those engaged in this activity.

In July 1982, at the Annual Meeting of the Southern Governor's Association in Hilton Head, South Carolina, the Southern governors agreed that international drug trafficking has become an issue of major regional concern. Governor Lamar Alexander of Tennessee and Governor Bob Graham of Florida invited governors and state law enforcement officials to a special meeting in Nashville, Tennessee, to discuss strategies for handling drug trafficking problems. The results of that meeting were eight policy recommendations for states to enhance drug control efforts. These recommendations subsequently received unanimous concurrence from all participating states. In January 1983, the Florida Department of Law Enforcement presented a detailed implementation strategy for the eight recommendations.

This innovative and aggressive program proposal on the part of the State of Florida, has been provided to all governors of this country as well as the the White House for consideration. I am providing a copy of the proposal to this Committee under separate cover.

As one part of the proposal just referenced, the State of Florida, through its Governor, is considering implementation of a statewide structure of persons from numerous private and governmental disciplines, possessing a broad expertise in the drug abuse area. This urgent, pro-active and demand oriented effort calls for increased educational efforts to build public awareness, concern, inter-action and action to reduce drug abuse.

The Commissioner of the Department of Law Enforcement, in concert with Florida's Attorney General, has communicated with the Commissioner of the Internal Revenue Service (IRS) seeking an agreement with the IRS. These communications were to discuss the Department of Law Enforcement's position that IRS should in some way reimburse the Department for investigative costs when investigations by the Department have developed or led to recovery of substantial tax assessments and penalties against tax evaders.

The Florida Governor's Council on Organized Crime with assistance from the Department of Law Enforcement, is currently planning public hearings dealing with the organized crime problem in Florida. Again, this effort will contribute to the earlier mentioned targeting program.

Florida also has the capability of a Statewide Grand Jury to deal with sophisticated organized criminals crossing jurisdictional lines. A preponderance of cases brought before the Grand Jury deals with narcotics.

Florida has also insured that additional resources have been provided to state attorneys to prosecute criminal cases and to the Attorney General to pursue civil remedies (RICO).

The efforts of the federal government to deal with the drug problem in Florida have been important, appreciated and contributory to address of the drug problem. Following the prototype of the South Florida Bush Task Force, the creation of twelve additional anti-narcotics/organized crime task forces should promote a more dedicated and complete federal resource to address the drug problem. These groups, which are now staffed, will concentrate upon long term investigations, and will relate closely with the Bush Task Force and the National Narcotics Border Interdiction System. Many experienced personnel have been transferred to these new task forces, leaving vacancies in contributing agencies which should be refilled within the next fiscal year.

Consideration is now underway to create a thirteenth task force to operate in Florida (requested in the U.S. Attorney General's fiscal year 1985 Budget Request). This task force is seen as necessary to work with the other task forces, which are finding many drug operations tying into Florida, and to work in close tandem with the Bush Task Force and the Narcotics Interdiction System.

Prior to the creation of this thirteenth task force some resources are in place in the South, North and Middle Districts of Florida to coordinate with the existing task forces. A Federal and State Task Force has been organized within the Northern District of Florida or prioritize individual narcotics violators who have been identified as dealers or traffickers. Three full-time prosecutors have been assigned to prosecute these major drug related cases. Within this district a cross designation between U.S. Federal Assistant Attorneys and Assistant State Attorneys within three of four circuits has been implemented. Further two attorneys within the Executive Office of the Governor's Statewide Prosecution Unit have been designated to prosecute criminal matters in both Federal and State courts.

As an item of information, there are currently slightly in excess of 335 cases under investigation by the twelve task forces. Forty percent of those involve one or more state or local law enforcement agencies. There are at least twelve cases in Florida, beyond the Bush Task Force and National Narcotics Interdiction System cases; however, again numerous other investigations link back to Florida and support is being given to those cases.

A total of 33 states along the U.S. border have been selected and sectionalized in conjunction with the National Narcotics Border Interdiction System. Miami is the headquarters for the lower southeastern portion of the system, which includes Georgia, North Carolina, South Carolina and Virginia. The system is designed to coordinate the work of federal agencies in interdiction of seaborne, airborne and cross-border drug trafficking, while the earlier referenced task forces will focus upon long term investigations of complex organized crime operations, including drugs.

Have these efforts had an impact in Florida? I have earlier referenced decreases in reported contacts with drugs by Florida agencies. I must believe that the emergence of domestically produced marijuana is to some extent a reaction to intensified interdiction efforts. And, our intelligence has shown concern on the parts of drug operatives to avoid Florida's intensified efforts as these efforts have become publicized. Still other operatives are known to have modified their trafficking routes into other states and there is some evidence of trafficking from those states back into Florida across the northern border.

Available data indicates a shifting from marijuana availability in Florida to cocaine, which is reportedly easier to covertly handle than is marijuana. Cocaine prices are down and the supply up. There is evidence of some trading of cocaine for marijuana in Florida. The wholesale price of cocaine in Florida is down (from $55,000/kilo a few months ago to $25,000 currently), and the price increases as one ventures westward and northward through the U.S.

Marijuana supplies appear down in Florida while the price has increased. The wholesale price in Florida, however, generally remains less than that of other states indicating that Florida remains an import point for this commodity. My understanding is that in recent months, federal interdiction of marijuana in Florida are down. At the same time, federal statistics are reported to me to be reflective of a shifting, to some extent, of all types of narcotic and dangerous drug activities and products from Florida into other states. Also, large seizures are increasingly being made (for example in Tennessee, New Mexico, Texas, California) where financiers are Florida residents.

These types of indicators lead us to believe that efforts in Florida have posed a force which is increasingly more disconcerting and risky to those dealing in drugs. However, the data must be viewed with caution for many reasons. For example, as I know the Committee is painfully aware, the completeness and validity of consistent data is at best insufficient. Also, other factors such as climatic conditions in drug producing countries must be considered.

While attention to the drug problem has increased at the federal level and within many states, notably Florida, much remains to be done.

The Administration must continue and intensify its efforts as an important foreign policy element, in eliminating drugs in major source countries. Obviously, success in this area would have perhaps the most beneficial impact to efforts of agencies in this country trying to deal with the supply problem.

While the United States military has attemped to better assist civilian law enforcement, and while the recently released Army Regulation 500-51 dealing with "support to civilian law enforcement" extends some flexibilities heretofore unavailable, there still remains a great need in this area. We have found this to be particularly true in our efforts to enlist support of the National Guard, which is, in fact, restricted from meaningful participation by rules and regulations emanating from the National Guard Bureau in Washington and, which rules and regulations, I believe, do not allow for flexibilities which are available in the referenced army regulations. Obviously, increased military support in detecting illegal production and trafficking of drugs would go a long way to complement the exhausted, less well-equipped in jurisdictionally limited law enforcement resources.

The expanded "Task Force Concept", while too early to assess, is viewed as a welcomed enhancement to our efforts particularly in bringing many jurisdictional capabilities together, and in coordinating interstate efforts. The degree of coordination and cooperation among the numerous agencies is still far from being what is desired. However, the availability of specifically dedicated resources such as those available within the task force may afford an increased opportunity to further improve upon this situation. It is critical that these task forces increasingly involve state and local participants from a policy standpoint, and that they routinely become an integral part of a joint effort rather than be noticeable only on a case-by-case basis.

I would very strongly urge any support which this Committee might offer to the earlier mentioned creation of the thirteenth task force here in Florida. In view of the problems here and the relationship of these problems to the nation, I view this move as absolutely necessary to the overall "Task Force Program."

The Committee is again reminded of my Department's concern in earlier mentioned IRS issue. While discussions at this time have been to no avail, our Department plans to continue to aggressively pursue resolution of this issue in our favor, and any assistance by the Committee in this regard would be appreciated.

There are several areas listed within the earlier referenced "Governors' Report," which indicate desirability of involvement by the federal government. I would respectfully defer further comment regarding those issues to the Committee's later review of those proposals.

I feel it relevant to repeat my observation that there currently does not exist a central capability to accurately measure and assess the drug problem in this country, and therefore the impact of efforts to deal with it. It is extremely difficult therefore for us, for our counterparts in the country, and for study groups such as this Committee, to confidently define and measure the problem as it really exists.

We in the criminal justice system have largely found ourselves in a reaction mode necessitated by the immediacy of real crime. It is important that we at the federal, state and local levels remember that the problem of drug abuse in our society is related to so many factors that it cannot be successfully addressed by any single discipline. A consistent exchange of information and ideas among the various disciplines that can affect consumer demand does not exist. The ultimate long-term success of drug control efforts is not possible without a marriage of these disciplines, supported by an educated and involved public.

Mr. Chairman, drug activity continues to cause tremendous problems for our state, federal and local criminal justice systems, as well as causing less measurable affects such as tax revenue losses, corruption and public health considerations. Millions of dollars have been directed toward coping with these problems, and I believe we are making some headway in Florida.

If any one thing is evident, it is that we cannot hope to come to grips with the problem without a continued dedication on the parts of all government to work together. We must continue to strive toward integration, cohesion and commitment of our resources toward timely identification and resolution of our problems, and toward continued development of improved techniques and facilities to better do our job. Our successful and joint accomplishments in the drug area will certainly bleed over into many areas of mutual concern. Thus this problem which has so unsolicitously forced us together and which, in fact, has accelerated many developments among us, may do much to foster an earlier, needed, but lacking harmoniousness so crucial to—and so deserved by—those we serve.

Testimony by Frank D. Nelson, Florida Department of Health and Rehabilitative Services, Alcohol, Drug Abuse and Mental Health Program Office

The magnitude of the problem of drug trafficking and abuse may be gauged partly by data in the 1982 Annual Report of CRIME IN FLORIDA (UCR) of the Florida Department of Law Enforcement (FDLE). Considering trends over five years, the total number of arrests for sale and possession in 1982 was 36,178, an increase of 28 percent since 1978. The arrest rate for sales was up 76 percent, while arrests for possession was up only 14 percent. Arrests were up 22 percent for males and 18 percent for females. The level of law enforcement activity as well as the attitude of and the resources available to the courts greatly affect treatment demand in this State. There remains little incentive for the addict to seek treatment until driven by desperation, serious health problems, or apprehension by the law. Florida's 17 Treatment Alternatives to Street Crime programs which screen and refer clients for the court system are now responsible for a significant number of treatment admissions.

The category of drugs showing the greatest increase of involvement in arrests was "Other Depressants" (barbiturates, tranquilizers, etc.) which was up 307 percent in five years with a total of 1,431 arrests in 1982. That trend has leveled off in the last two years, possibly due to a stepped up rate of arrests in that category. Cocaine arrests were up 145 percent to 4,646 in 1982. Up by 35 percent were arrests involving "Other Synthetic Narcotics" (Hydromorphone such as Dilaudid, oxycodone such as Percodan, etc.), but Marijuana was up only 11 percent. Three categories of arrests actually declined: "Other Stimulants" (−03 percent), Paraphernalia (−12 percent), and Opium (−41 percent).

One of the most discouraging social consequences is the growing involvement of youth. In 1982, there were 277 children below the age of 14 arrested for violations, 13 of them for selling. In ages 17 and under, there were a total of 4,128 youth arrested for drug violations, 381 of them for selling. Seven were selling opium and eight were arrested for possessing opium, the youngest being 14 years old. One alarming fact is that 36 children under 18 were arrested for selling cocaine, and 108 were arrested for cocaine possession, one being under 10, one 12 years old, and two were 13. Treatment data reports six children between ages 13 and 17 in treatment for heroin addiction. In 1981-82, there were 21 children under age 12 reported either addicted or dependent on synthetic opiates, barbiturates, sedatives, and cocaine. Most children under 12 who are in our treatment system report using drugs several times a week.

One wonders how many persons at any age are using drugs in illegal or harmful ways for each arrest statistic. Ten? Twenty? A hundred? Of the young ones, what happens to them as they grow up—IF THEY GROW UP? At younger ages, the substances involved tend to be those available in the home, i.e., the family medicine chest, the liquor cabinet, or over-the-counter in stores; however, younger children are gaining increased access to marijuana, cocaine, and other street drugs as well.

It is my suspicion that juvenile arrest for crimes of violence, breaking and entering, and other highly inappropriate or aberrant behaviors are frequently associated with illicit drug reactions, sometimes in combination with alcohol. Phencyclidine (PCP) intoxication is a particular case in point. Much of the time this goes undiagnosed and inappropriately treated, consequently the child, the family and society and the prison system all suffer unnecessarily. The juvenile and young adult goes to a prison which is already overcrowded and therefore offers little help, thus the cost to the taxpayer is significantly greater than if the subject were placed in resident drug treatment.

Arrests figures are probably not representative of the typical practiced drug abusers in the drug culture, and neither are data from hospital emergency rooms, but that data is available through the Drug Abuse Warning Network (DAWN) based on hospital emergency room (E.R.) samples and medical examiner samples. E.R. incidents typically involve drug overdoses (ODs) due to suicide attempts, inadvertant use of legitmate medications, but also occasional inept usage of street drugs, often by novices rather than practiced users. In Miami, as well as in Florida as a whole, drug related E.R. episodes somewhat outnumber arrests for drug violations. In 1982, a total of 4,966 E.R. episodes were reported for Miami, with only 2,692 drug related arrests. For Florida as a whole, there were estimated to be 46,969 drug related E.R. episodes, with only 36,178 arrests. DAWN reports show White females listed more frequently than White males in samples of E.R. drug related episodes, with Black being in reverse proportion for the sexes. Even the 6–17 year-old age groups showed 252 females to 135 males, for all races. Arrest statistics invariably show males to be vastly in the majority at about 83 percent.

In Florida, the situation is always in a state of change even in the make-up of the population. We are a steadily growing population, expected to increase 60 percent by 1990, at which time we expect to be the fourth most populous state. Much of this growth will be due to migration from other states and one group which is already growing more rapidly than anywhere else in the nation is the elderly. We not the problems, issues, and needs of this and other special groups and have under study ways and means to address them.

TREATMENT

The State of Florida provides a comprehensive treatment system which includes 285 licensed treatment programs reaching all age groups. Through priority setting over the past four years by both privately and publicly funded programs, we have encouraged an increase in residential services, especially those specializing in services to youth. There has been a leveling off of outpatient, day care, and outpatient methadone detoxification.

Young adults between 18-25 account for most admissions to drug centers. White young adults sometimes come to treatment through the help of family and friends. Black and other minority young adults come to treatment after involvement with the criminal justice system. Their most common drug of abuse is cocaine, then marijuana. White young adults use marijuana first, and sedatives second. Clients 26 years of age and older are for the most part self-referred and have a better record of employment. They use synthetic opiates most frequently and heroin second in the White 26+ category, while Blacks and other minorities use heroin first and cocaine second.

In the 26 and older age category, in 1981-82 there were 179 addicted to heroin. Heroin was second in line following marijuana, which accounted for most admission to drug treatment programs in 81-82. Heroin brought into treatment 14.4 percent of all admissions. In 1981-82, while marijuana accounted for the most admissions to drug treatment programs, there were 179 individuals admitted with heroin addiction, 14.4 percent of all admissions. In 1982-83, heroin dropped to third place, with cocaine contributing 16.6 percent of all admissions, leaving heroin admissions at 14.8 percent, approximately the same as the previous year.

The increase of residential services signifies a need for a more intensive type of treatment, part of which is due to the increase of polydrug abuse of several hard drugs, as well as the recognition that a "hands on" approach is necessary in effectively dealing with this population. a budget request of one and one-half million dollars is being prepared in order to implement specialized medical programs to provide polydrug detoxification. There is a need to locate polydrug detoxification centers in each of the large urban areas where polydrug abuse mostly exists.

Long before the advent of the Federal Block Grant, the National Institute on Drug Abuse had disassociated itself from funding medical detoxification, partially because of the great expense involved in this treatment element. As a result, fewer numbers of clients were served in the treatment slot mechanism created by that agency. States must now somehow add this expensive element to their treatment armament if we are to prevent suffering and loss of life.

At a recent meeting of the Florida Methadone Treatment Directors, the question of the increasing number of polydrug abuse cases surfaced, leading to the conclusion that methadone clinics are not equipped to deal with the serious problem of polydrug abuse.

The most underserved client in our state is minority youth. Currently, treatment programs frequently are not involved until this type of client enters through the court system and, by this time, the damage frequently is irreversible. Treatment data shows an extremely high incidence of school dropouts with our Black youth and minority drug abusing population, consequently further contributing to the very high unemployment for minorities.

The number of children who "fall through the cracks" of the juvenile justice/prevention and treatment system is alarming. The Federal agencies have offered little collective leadership on this issue, though the Alcohol, Drug Abuse and Mental Health Association and the Criminal Justice Agency are presently considering some token efforts in this regard, and Florida plans to take every advantage of any assistance in this area.

Older Citizens

While the elderly seldom use "street drugs," there is no lack of drug problems in this population. In the elderly, isolation, poor health, depression, etc., can easily lead to self-medication with alcohol, prescription drugs, and a variety of over-the-counter drugs. Self-medication can become problematic due to drug reactions, synergistic responses when combinations of drugs are taken, overdoses, and even addiction. Elderly persons often share drugs in an attempt to economize and to help friends. They also sometimes become a little forgetful and take too much medication or not enough. They seldom question a doctor about drug problems because of their long-held belief that the doctor will tell them the things they need to know.

Effective programs to prevent substance abuse among the elderly, modeled largely on NIDA's Elder-Ed program, are available and can be programmed to meet a larger group than the ten percent now being reached, but a larger portion of available resources will be difficult to shift in the face of pervasive fiscal restraints.

Young Adult Chronic Mentally Ill Substance Abusers

A special group is being recognized nationally with emergent concern. It is referred to as the Young Adult Chronic Mentally Ill Substance Abuser. State supported congregate living facilities for minimally functioning borderline schizophrenics now reveal this particular patient. This population has become noticeable in mental hospital statistics nationally, and has been addressed by a special study group. In Florida, we are taking a close look at related data to be aware of the problems and needed programmatic efforts for meeting them. The possibility that successful deinstitutionalization efforts nationally and in the states may have brought into focus a group of patients which has been there all along but is only now becoming visible.

These persons are mentally ill as well as being substance abusers at least periodically. It is not even clear whether substance abuse or mental illness is the primary cause of the debilitation which keeps these individuals in or out of the system. (It is both ironic and sad that in some cases a chronic drug abuser could end up being treated in a hospital whose main treatment thrust is mass medication.) Typically, these individuals can be found in the mental health treatment system, especially mental hospitals where they receive treatment which is directed primarily toward their psychosis and apparent mental problems. They are often returned to society and arrive in the streets with inadequate housing, inadequate social supports, inadequate nourishment, and inadequate coping skills and resume their added vulnerability through alcohol and drug abuse, ultimately returning to the mental hospitals. Caught in the process, many of them die either by their own hand or other violence.

An initial study of substance abuse issues among mental hospital patients in Florida showed that about 80 percent had a history of some form of substance abuse at one time or another in their backgrounds. At the time of the 1981–82 survey, 869 patients—one-fifth of the entire population of the mental hospitals—were judged to need substance abuse treatment services. In the near future, a specialized drug and alcohol abuse treatment unit for one of the mental hospitals will be explored where a visible group of patients are waiting.

Concurrently, a refined version of a survey instrument is being readied for use in the entire mental hospital population to clarify the situation.

Funding

Currently the State of Florida spends $9,500,000 annually in State funds, and $6,600,000 in Federal funds for drug abuse treatment and prevention. Of this $16,000,000 total, approximately $14-million goes to treatment and $2-million to prevention. By national standards, Florida has very strong statewide prevention/intervention programs ranging from specific treatment/school based prevention models (Alpha) to the active participation of some 90 parent groups throughout the State.

The Federal encactment of the specific inclusion of 20 percent drug and alcohol block grant funding for prevention has been very supportive to this State's efforts and we would not like to see that changed.

Although the state funding represents a 300 percent increase over the past five years, it is clear that our treatment and prevention efforts are not keeping pace with treatment and prevention needs, especially as our population is expected to increase 60 percent by 1990. Federal funding has decreased, the impact of which will be felt this year. Despite the progressive leadership of Governor Bob Graham and a far-sighted Legislature, the State cannot continue to assume heavier and heavier financial burdens in trying to meet unmet needs. We have identified current unmet needs of over $4-million, and this figure does not include specific programming for Cuban, Haitian, and other immigrants who enter the United States through Florida and frequently remain.

TESTIMONY OF JOHN G. DAIGLE, EXECUTIVE DIRECTOR, FLORIDA ALCOHOL AND DRUG ABUSE ASSOCIATION, TALLAHASSEE, FLA.

AGENCY PROFILE

The Florida Alcohol and Drug Abuse Association is a membership organization representing more than sixty (60) drug abuse and alcohol treatment and prevention agencies throughout Florida.

The Florida Alcohol and Drug Abuse Association is actively involved in advocating activities at the state level with the Florida legislature, as well as with the numerous state agencies with activities relevant to the problems of alcohol and drug abuse. We also work closely with the more than seventy concerned parent groups in

Florida and we are proud of the fact that Florida played an instrumental role in the development of parents' groups several years ago.

As a representative of drug abuse treatment and prevention programs, I would like to focus my comments today on the extent and nature of the drug abuse problem in Florida, the availability of resources, and problems in the areas, all from the perspective of community based treatment and prevention agencies.

The State of Florida has in place a sound system of drug abuse prevention and treatment services, with a continuum of services available in many communities. The total state budget for drug abuse programs in Florida is $15 million. A study of the state drug abuse budget for fiscal year 1981–82 indicated a per capita expenditure of $1.25. Though the state has significantly increased its investment in drug abuse programing in recent years, approximately 50 percent of the programing is federally funded.

The Florida system of drug abuse services is delivered on a contractual basis through non-profit community-based organizations. This partnership between the state and the local community has resulted in cost-efficient programing delivering quality services to all socio-economic groups.

Community programs have developed strong professional capability supplemented by the utilization of paraprofessionals as appropriate. Most programs have made significant strides in becoming an effective, integral component of the social and health care system in their community.

All programs must be licensed by the state and are monitored on site at least annually.

A considerable amount of the credit for the present system of drug abuse service should go to Mr. Frank Nelson, Administrator of the Florida Drug Abuse Program, who has provided consistent leadership over the past nine (9) years.

The programs and resources presently available in Florida are only adequate to maintain a very limited effort.

Contrary to the belief of some that drug abuse is decreasing, in Florida the problems associated with drug abuse continue to be very serious. Community based programs consistently operate well over 100 percent capacity levels for which they are funded. This factor, coupled with the already extremely low rate of funding they receive in comparison to other social services, has the potential to result in a serious deterioration of program effectiveness.

In addition, most programs in Florida maintain extensive waiting lists of individuals and families in serious need of treatment.

The continuance of services have been somewhat diminished over the past few years, particularly in the area of out patient services and detoxification services. The seriousness of the problem is further indicated by the average age of clients being admitted into our treatment program which continues to decrease. More and more families from all socio-economics levels are having to deal with a child seriously involved in drug use.

Though the drug abuse treatment system in Florida treats more than 18,000 individuals each year, the reality is that we are treating a very small percentage of the actual population in need and significant gaps in services exist.

Consider the following facts:

The Florida Department of Corrections in their annual report indicate that 70 percent of the Florida prison population admit to a significant substance abuse problem.

A study by the Department of Health & Rehabilitative Services concludes that 21 percent of the state's hospital population are in need of substance abuse treatment.

An Oversight Report by the Florida House of Representatives indicates that more than 5,000 of Florida's youthful offenders are in need of substance abuse treatment.

There is a national and state concern regarding the problem of drug misue among the elderly. Florida, which has the highest population percentage of elderly, offers very little in terms of education or treatment to the elderly.

In summary, though the present continuum of treatment services in Florida are sound, the system is undergoing diminished capability and "stretching at the seams." The inadequacy of the system is further highlighted by the fact that we are only treating "the tip of the iceberg." In light of the fact that Florida is one of the fastest growing states in the country, such a situation could be quite volatile.

EFFECTS OF THE 1982 FEDERAL STRATEGY

The State of Florida is fortunate in that it has not suffered the tremendous reduction in treatment capabilities faced by many other states. However, the federal strategy has had a number of negative consequences:

1. The abrupt reductions in federal funding for the Alcohol, Drug Abuse and Mental Health block grant have placed a tremendous burden on the State of Florida and local governments. The results have been limited resources to address an increasing problem.

Though the *Federal Strategy* verbalizes a comprehensive approach to preventing drug abuse, the resources for these efforts have been directed to law enforcement efforts. While federal law enforcement projects have increased 30%, the federal budget for drug abuse treatment and prevention has decreased significantly.

It must be realized that if law enforcement supply reduction efforts are successful, the demand for treatment services increases.

If the federal strategy is to be truly comprehensive, resources for drug abuse treatment and prevention must be proportional.

2. Implementation of the block grant mechanism also causes considerable concern regarding possible long-term negative consequences. The "lumping" of funds forces drug abuse services to compete with other social services.

These deficiencies on the *Federal Strategy*, if not corrected, will only lead to a dilution and reduction of treatment and prevention activities thus increasing the pressures on an already overcrowded prison system.

RECOMMENDATIONS

1. The *Federal Strategy* should include increased federal appropriations for prevention and treatment services, consistent with the current increases in the law enforcement effort.
2. The federal government must provide greater visibility and leadership to the states in terms of developing strategies and approaches to the problem of drug abuse.
3. Federal legislation should be passed which mandates that a portion of resources seized in drug arrests should be utilized for treatment and prevention activities.
4. The National Institute on Drug Abuse should facilitate and support networking and training activities between states to assure delivery of "state of the art," quality services.

TESTIMONY OF DAVID H. BLUDWORTH, STATE ATTORNEY FOR THE 15th JUDICIAL CIRCUIT OF FLORIDA

Mr. Chairman Rangel, and distinguished members of the U.S. House of Representatives Select Committee on Narcotics Abuse and Control. I appreciate your invitation to appear before this Select Committee and want to thank you for the work that you have done and are doing on this important problem that confronts the United States as well as other countries of the world. We are particularly proud of the work on your Select Committee by Congressman Tom Lewis from our county, and that of the other Florida members, the Honorable Dante Fascell, The Honorable E. Clay Shaw, Jr., and The Honorable Larry Smith. The presence of this fine representation of Florida Congresmen indicates the importance this subject has on the citizens of this State, and particularly the constituents of those Congressmen whom I have recognized.

It is important that a national strategy be developed to attack the problem on drug trafficking and drug abuse in our country. The federal government and you in Congress have been addressing one of the key objectives which is to reduce the availability of illicit drugs that are produced in foreign countries and imported to the United States. The United States' objective of eradicating and controlling illicit drug cultivation and production at its source must be continued to reduce the impact on states which are near those sources, such as our own State of Florida. We have been very pleased with the commitment the federal government has made through the President's Drug Task Force in Florida to stop the importation of drugs that are being smuggled into the United States through Flordia. The efforts of the various task forces working with the U.S. Coast Guard, the U.S. Customs Service, the U.S. Border Patrol, and the Drug Enforcement Administration, should continue to receive additional funding so that we can reduce the amount of illegal drugs and narcotics that would otherwise enter the United States through the State of Florida as well as other States.

There is no question that the drug trafficking and drug abuse problems have had a dramatic impact on the criminal justice system in Florida. I do not have any statistics to show you how many cases we handle where drugs are involved, but there are substantial numbers of our pending cases and investigations resulting in the dedication of a large portion of our total criminal justice time and money to handling these matters. I believe that we should continue to target the major drug traffickers and particularly those who are benefiting from the financial operation so that those persons can be charged, prosecuted, and incarcerated for their illegal activities. In this area I would encourage this committee to review all estrictions presently on the Internal Revenue Service, that prohibits them from receiving information about narcotics traffickers from other federal or state agencies or from sharing their own generated information. We need to work together to prosecute those who are using the illicit money they receive from drug transactions and restrictions on information sharing should be eliminated.

In addition, I would hope that the Select Committee will review the restrictions under the Federal Rule of Procedure 6(e) which prohibits the sharing of information by federal agencies with the state agencies or with one another once a Grand Jury has begun to review cases involving drug offenses. Very often the length of these investigations lasting over a year or so, defeats the need and ability of other agencies to move forward to eradicate illegal activity had they been able to receive cooperative information that is now prohibited by this rule of procedure.

There are no easy answers to the problems of eliminating drug trafficking and drug abuse in this country. I do belive, however, that we should put forward a major effort in the area of education. Our young people need all the information available about the effects of drugs on their individual persons. The whole drug arena operates on the principle of supply and demand. If we can reduce the demand for the drugs, then the supply would diminish proportionately. The "Sixty-four Thousand Dollar Question" is why do people use drugs and narcotics?

It is necessary to have a continuing forum to gather and evaluate information regarding this question. Specifically, there are some we know who have become addicted to heroin. The problem I have seen is that we do not have any effective means of identifying the heroin addicts in this country. We need to provide for an alternative way of treating their problem, which may be as much a medical problem, as it is a criminal problem. I would suggest that we attempt to develop a method for identifying our heroin addicts and to provide alternative methods of treating their addiction problems rather than wait until they have been apprehended for possessing the illegal narcotic and then prosecuting them under the criminal statutes.

The use and abuse of cocaine is a problem of convincing the users that it is not healthy for them nor necessary. That, of course, becomes an individual decision and one that must be based on factual information about the effect of the drug on the individual so that, hopefully, they would make a choice that would be one of abstinence. Here is where I think we have some credibility problem because many of the persons whom I have talked to do not feel that the substance is dangerous nor should its personal use be banned. It is this sort of attitude that makes it difficult for us to look forward to any long-term reduction in cocaine use since if the demand continues then a supply will follow no matter what the risk or cost.

The same analogy of cocaine can be said to apply to the use of marijuana. Here again, there must be some credible and ongoing educational programs for our young people to find out why they are using external substances and to present to them proven medical and other factual data so that they can choose the appropriate abstinence course that we all would like to see our young people follow with regard to drugs.

It is my hope that the Select Committee will review the various drug education programs that are taking place and are planned around this country to select several as models to fund. We can then begin to strike out at the demand factor for illegal drugs which is at the base of the problem facing our country.

One of the major shortcomings that we have in our criminal justice system is the availability of effective programs for the treatment of the persons who are involved with the various levels of narcotics and drugs. Our overcrowded institutions and the cost incurred by our State have almost reached the prohibitive level as far as the taxpayers are concerned. I would hope the federal government would consider funding specialized treatment programs, particularly for the heroin abuser and other addicted hard narcotics abusers of this country and those facilities be available for state referrals. Permissive legislation should be considered to provide that a person prosecuted for drug offenses in the state or federal court would have an available alternative of incarceration and treatment in an effective center for that particular defendant whether funded and operated by either the federal or state government.

As a state prosecutor we welcome the joint efforts with all of the federal counterpart agencies. I have always offered to swear in federal prosecutors as assistants, which I am permitted to do by the statutes of the State of Florida, to handle cases where it would be in the best interest for the continuity of the investigation. Likewise, we are told that the federal agencies would be receptive to swearing in state prosecutors to handle federal prosecutions under the federal U.S. Code provisions if that forum were selected as the most appropriate for the charges should any be filed as a result of a joint investigation. It is necesary that we continue this joint and cooperative effort because the problem is one solely of federal concern or state concern but one that will tax the resources of all of our agencies to solve.

I wish I could offer some easy answers but it appears to me that we will be faced with the reality that drug trafficking will continue so long as there is a demand as there is today from the citizens of this country. If we can reduce that demand by convincing, through education programs and other means, a larger number of our citizens not to want or to seek out illicit drugs for their own personal use, we will have taken a large step towards reducing the impact that it has on our current criminal justic system in this state.

Thank you very much for this opportunity to present these brief views on this very complex area of concern. I wish you every success in developing some new approaches and some answers to the drug use and enforcement problem that we have in the United States.

TESTIMONY OF JOSEPH P. D'ALESSANDRO, STATE ATTORNEY, 20TH JUDICIAL CIRCUIT

Greetings, Mr. Chairman and members of the Committee: I sincerely appreciate this opportunity to address the United States House of Representatives Select Committee on Narcotics Abuse and Control and to present to you certain of my views regarding recent achievements and the future challenges to be faced in the successful attainment of our national drug enforcement goals.

I am pleased with the accomplishments of the aggressive Federal programs dedicated to the elimination of drug abuse and to interdictory drug control. As the State Attorney for the Twentieth Judicial District of Florida, foremost among my concerns is the impact of the increased number of Federal narcotics and related cases upon our Federal and State judicial systems.

The increased narcotics investigation task force groups in Florida have added a considerable burden to the overtaxed, ponderous Federal Judicial System. The much needed increase in Federal investigators have resulted in the successful completion of a large number of cases. However, the impact, of these investigative cases, suffers from having to literally "sit on the shelf" awaiting Federal prosecutorial review and Federal Grand Jury action and indictment.

This situation is primarily due to the budgetary restrictions which result in a shortage of experienced assistant United States attorneys to prosecute the increased case load and the lack of sufficient numbers of Federal judicial personnel to try the increased number of cases. The Judicial System of the State of Florida also shares this unfortunate posture, the State system is overworked and understaffed. It is impossible to expediently handle the enormous volume of cases we must examine and prosecute.

In either system, swift justice does not prevail . . . the backlog of cases in our State systems, on occasion, may even serve to perpetuate some smuggling operations. Lengthy delays occur between the time of arrest and the date of trial, often permitting the defendants an interval of freedom to continue their illicit operations and to dispose of hidden assets. In the interim, official recollections fade and witnesses stray or disappear.

In the Twentieth Judicial Circuit over five (5) counties are split by the middle and southern Federal Judicial Districts. Lee and Charlotte Counties fall in the middle Federal District's domain and court is held in Tampa, Florida. Collier, Glades and Hendry Counties lie in the Southern Federal District and the cases made are heard in Miami, West Palm Beach and Fort Lauderdale, Florida respectively. In any event we are always at least 130 miles from an operant Federal courtroom.

In the late 1970's this State Attorney's Office was instrumental in voicing the desire to bring more Federal law enforcement authorities to the Twentieth Judicial Circuit. The Federal Bureau of Investigation has had a two man office established here for a number of years and we enjoy a good relationship with the resident agents. As a result of our voiced concerns, a United States Customs Patrol Office was established in mid 1978 and a resident office of the Drug Enforcement Administration in late 1978. Most recently we have welcomed the manpower addition of the Vice-Presidential Task Force group quartered in Fort Myers. Since 1978, Federal law enforcement officers in the Twentieth Judicial Circuit number approximately twenty-seven (27) individuals.

This increase in personnel has also increased the State's case load. The Federal agencies, for obvious geographic reasons, have often requested to divert what would ordinarily be a Federally prosecuted investigation into our already overtaxed State system.

In addition, the Federal judicial system has been known for moderate to light sentencing as compared to our State system where minimum/mandatory sentences may be applied.

To illustrate this point, it was the experience of a State Attorney's Office Investigator that a smuggler, freshly arrested by the State investigator at the scene of a large seizure, pleaded intently with a Federal agent to arrest him so that he might avoid State mandatory penalties. The irritated United States Customs Patrol Officer repeatedly had to refuse the prisoner's pleas . . . finally ordering the man to leave him alone.

In the 1978 House of Representatives' report of the Select Committee on Narcotics and Drug Abuse, a recommendation was made for "additional requests to the Department of Justice which would alleviate the dispartiy of light sentencing of drug traffickers in the Florida region to be coordinated between the Attorney General and the Governor of Florida."

Some corrective remedies have been inacted to strengthen Federal judicial powers in dealing with narcotics violators and organized crime, for example, Federal law now extends the maximum allowable sentence for possession of quantities of marijuana in excess of 1000 pounds from five (5) to fifteen (15) years. This stronger legislation is a vital and positive Federal tool, however, the potential deterrant effect of these laws is greatly diminished by the eneven application of penalties by the Federal courts.

Tighter restrictions and attitudes on pre-trial granting of bail and liberal pre-trial releases must also be implemented. For many drug violators making the arrangements to post a multi-million dollar bond is a matter of a simple phone call. For many volators the subsequent forfeiture of vast sums of money does not constitute a hardship.

The administration's accomplishments are laudable, however, what has not been accomplished is the augmenting of Federal prosecutory presence in Southwest Florida. Fort Myers has a fine Federal courtroom facility which is utilized for civil matters, however, since the establishment of the Fort Myers Resident Office of the Drug Enforcement Agnecy in 1978, not one Federally prosecuted narcotics case has been conducted within that facility nor within the confines of the Twentieth Judicial Circuit.

The presence of Federal prosecutors within the Twentieth Judicial district has been virtually non-existant. If the Federal government truly wished to have its interest and influence exhibited in Southwest Florida, it must not stop with only the increase in investigative strength but must provide an equal complement of prosecutors and judicial personnel to suppport the Federal system in Southwest Florida.

Since 1978, the Drug Enforcement Administration in Forth Myers has made a considerable number of drug cases. Based upon the Drug Enforcement Administration's request, approximately seventy-six (76) defendants were diverted into our State system. Prosecutorial time devoted to preparing these often complex and taxing cases has been an additional drain upon the State Attorney's Office manpower. Admittedly the State Attorney's Office has derived numerous benefits from accepting these prosecutions, but the all-encompassing cost of the presecutions far exceeds any financial gains received from forfeitures etc.

Since 1981, my office has prosecuted in excess of nine thousand (9,000) felony cases of which approximately two thousand (2000) were drug cases. This figure does not include any misdemeanor prosecutions nor does it reflect the expenditure of man hours devoted to intake and review of cases which are diverted, nolle prossed or otherwise eliminated from the system.

This Administration deserves tremendous recognition and credit for its action in the attempt to eradicate the narcotics problems of Florida and the United States. However, I must respond to the question, "Is interdiction truly effective?", with cautious optimism.

The formulation and implementation of the Vice-Presidential Task Force programs have proven, initially, to be highly significant in the successful interdiction of smuggling. Seizures have been frequent and the amounts of the seizures impressive. The Vice-Presidential Task Force concept must be commended especially when coupled with the steps this administration has taken to remove prohibitions involving the application and utilization of our military resources, military intelligence and the creation of special projects such as "FAT ALBERT", the tracking balloon. This administration has set high standards and made great strides in endeavoring to stop the flow of drugs into the United States through Florida's borders.

In the late 1970's and early 1980's, Southwest Florida was literally inundated with multi-ton shipments of marijuana, from foreign producers, through our coastlines and into our interior. Recent investigative and intelligence sources reflect that marijuana seizures are less frequent and the price of marijuana on the street is unusually high. With the changes of approach in United States interdiction and enforcement efforts, has come a reactive change in the modus operandi of the organized smugglers.

From the local level, it may be observed that the actual or long term effect of the Vice-Presidential Task Force has been, at best, to thwart rather than cease the flow of illicit drugs into South Florida. No longer are we seeing the frequency of major marijuana shipment seizures due in part, to the fact that these large loads are now being split up. Tons of marijuana are being storehoused on islands of tiny foreign nations very close to our shores. Smugglers are concentrating efforts to circumvent United States drug enforcement strategies. From these island storehouses, the large loads are brokered and divided into smaller loads for attempts at a "shotgun scatter" type penetration into United States borders.

The presence of the Vice-Presidential Task Force has caused the smugglers to "share the wealth" by diverting their routes into the Northern Florida Panhandle, other Gulf States, the Carolina's and all along the Atlantic coast north to Maine. Smugglers may have been temporarily inconvenienced by the Vice-Presidential Task Force but they can afford to be inventive and resourceful through almost unlimited sums of cash. Marijuana smuggling may be shifting away from South Florida hot spots but we believe it has not truly abated . . . this may be evidence by the tracing of money flows from Florida banks to other states. The United States economy is greatly affected by the hundreds of millions of dollars paid for illicit drugs. The financial rescources of organized crime and drug smugglers in South Florida alone is estimated at several billion dollars a year.

The increase in bulk quantity seizures of cocaine along with current intelligence information indicates that cumbersome marijuana has taken second place and that cocaine has become the smugglers drug of choice. Easier to transport and conceal and tremendously more profitable, cocaine dominates the South Florida drug market. Large loads of cocaine are being smuggled into South West Florida, to remote rural sites with alarming regularity. The incidence of seizure rates has not appreciably increased, however, the total weights and size of the load captured, have.

Since April of this year, law enforcement agents have seized in excess of 1,300 pounds of air-dropped cocaine from cattle pastures of two of the most rural counties in the Twentieth Judicial Circuit. One of the last seizures resulted in the shooting death of one of the smugglers by a law enforcement officer and the recovery of an automatic weapon. The "Cocaine Cowboy's" are in deadly earnest.

There is a cocaine glut in Florida, which may be due in part, to a published "bumper crop" in Peru and other producer countries which is now being stockpiled for future importation attempts. Cocaine is plentiful, prices have reached an all time low . . . $35,000 to $40,000 per kilo compared to $50,000 to $60,000 one year ago.

In view of this, is interdication working? Yes, to the extent that large shipments of marijuana have been curtailed and the immediate impact of these actions has been the first valid, large scale, organized attempt to stop smuggling operations utilizing all of the resources available to the Federal government.

It is apparent that these initial efforts need to be refined as experience is gained. This need for flexibility and modification has been recognized by the Administration and achieved by the implementation of the National Core City Task Forces which will answer the need for dedicated, coordinated Federal law enforcement investigations of targeted narcotics organizations operating throughout the United States.

In order to insure the continued diligence of this Administration's campaign against organized drug trafficking, I recommend that we follow closely the White House Review Board cabinet level Committee On Organized Crime, chaired by the Attorney General, which monitors National policies, inter-agency coordination, and inter-governmental cooperative efforts of the task force program with an eye toward immediate implementation of their recommendations.

The sheer volume of drug production, the willingness of unscrupulous individuals to traffic in drugs and the corrupting influence of enormous sums of money, has law enforement in the United States at a distinct disadvantage, perhaps the only truly effective means of combating drugs is eradication at the source.

I believe the United States must face the accept the fact that our National war on drugs is indeed a war, as life threatening to American values and citizens as any foreign military assault.

The United States can not allow itself to be mocked or victimized by smaller weaker nations who by careless disregard or deliberate intent seek to weaken the United States through the increased drug abuse and dependancy of many of its citizens.

We must also concentrate on strengthening our internal defenses against drug abuse and should insist upon the cooperation of our allies to also develop internally aggressive offensives against those elements within their cultures that produce the drugs being shipped to our shores.

It would be unrealistic for us not to admit the financial imperative that drug production is for the poor economies of many of the producer nations and to concede the financial constraints which would be felt by some of these third world nations if drug production were to be eliminated from their economies. Incentives to foreign governments to not allow the production and export of drugs from their countries will only be really effective through the imposition of strict financial sanctions or promise of economic assistance. Eradication at the source is a complicated and sensitive areas of United States diplomatic policy but is an area of solution that must be addressed.

The United States must be specific in its intent and unwavering in its position. For those producer nations whose internal governmental political philosophies will not lend themselves to legitimate support of United States policies, and who will not support the elimination of their economic reliance upon drug crop productions; must be dealt with through swift trade and diplomatic sanctions and with strong determination.

In 1978, the House of Representatives Select Committee on Narcotics Abuse and Control drew a number of accurate conclusions upon complete assessment of the drug problem in the United States and the evaluation of the drug influence in South Florida.

One of the conclusions was that "law enforcement authorities are stymied by a series of loopholes in the United States Code and in treaties with South American Governments which prevent them from arresting and prosecuting persons possessing narcotics on the high seas."

It was recommended that a "review be made of current United States legislation to control territorial waters and equate drug smuggling with piracy and slavery". It was further recommended that "this activity was to take place in conjunction with new treaty initiatives with foreign countries to allow for expedient seizures of narcotics and smugglers on the high seas."

The promise was received that these recommendations would be immediately implemented and that "International assistance which would provide high level input, particularly justice systems within Columbia, via United States CENTAC investigations, to provide for effective prosecution of Colombian nationals engaged in drug trafficking and living in Columbia."

A further list of legislative recommendations was prepared for the consideration of the standing committees of the House of Representatives. Legislative initiatives resulted in the "Controlled Substances Seizure and Forfeiture Act of 1978" proposal and ammendment to the Criminal Code Reform to allow the arrest of a person on board a United States vessel on the high seas or a United States citizen on board a foreign vessel, on the high seas, who is found to be in possession of large amounts of illegal drugs.

I firmly stress that further steps are vitally necessary. The above stated legislative achievements are demonstrative of this Administration's concerns but we must continue to implement policies to enhance the effectiveness of the Federal enforcement effort.

In my preceding testimony, I have touched upon three issues which are quite broad in scope. I want now to narrow the focus of my concerns to a topic which uniquely touches the Twentieth Judicial District.

At one time in Florida's history, Everglades City was known as a fine little town and enjoyed the status of being the official seat of government for Collier County.

A natural disaster befell the little city in the form of a violent hurricane in 1960. Everglades City was flooded and virtually crippled by flowing water. Following the hurricane, county officials deemed it wise to move the county seat (1962), inland to the town of Naples . . . where it remains to this day. When the flood receded, the little city got back down to business of living. Nothing much newsworthy has occurred in Everglades City over the past decades, many small businesses closed up and moved to Naples and Everglades City began an economic decline. Fishing and shellfishing were primary sources of income for Everglades City and the families who remained there, decades ago, formed a tight bond. They believed that Everglades City was a good place to live and raise their children.

Today, Everglades City is known as "Operation Everglades" and has achieved the status of being one of the most corrupt little cities in the United States. Another disaster has befallen Everglades City . . . a man-made disaster! Everglades City has once again been flooded, but this time with the illicit flow of drugs and dirty money. The main industry of Everglades City had become drug smuggling and the accommodation of smugglers. Many of those involved were "outsiders" but most of those arrested were the townspeople themselves . . . and their families . . . and friends. The Government's investigation revealed that the corrupting of Everglades City was almost total, very few of its citizens will remain untouched by the city's recent shameful exposure.

Everglades City is an isolated little area but is not an isolated example of the degenerative and perverting influence of drugs and easy money in American society.

What causes the corruption of this small city? One can only speculate. Some residents say that governmental restrictions on fishing and shellfishing for environmental protection purposes caused undue hardships on the local economy and the residents fell prey to smugglers attractive offers and the lure of easy money.

Geographically remote, Everglades City has always had a reputation for flirting with the law. Since the early days of Florida's past, Everglades City has harbored smugglers of contraband, whether it be alligator hides, egret feathers or Cuban rum. But never has the corruption been so pervasive or widespread.

On July 7, 1983 over 200 law enforcement officers jointed in "Operation Everglades", the city was blockaded by land and sea and the arrests and seizures of property began. Forty-one (41) indictments had been issued, State Attorney Investigators of the Twentieth Judicial Circuit participated by assisting local Drug Enforcement Administration agents, with arrests of several Lee County subjects. Law enforcement efforts struck a major blow in the Florida war on drugs with the arrests in Everglades City. Some residents fear that the federal charges have been a devastating blow to their morale and the city's future. Civic leaders were involved and arrested. Families have been torn apart, often splitting parents and children or turning brother against brother.

Others feel the huge raid was one of the best things that could have happened to their town but had always been afraid to speak out, knowing that as the demand for marijuana increased throughout the United States, more and more local fishermen found easy money in offloading bales of marijuana and delivering it to waiting trucks.

Community officials have tried to recover the ruined reputation of Everglades City, stressing that the majority of its citizens are law abiding and honest people who were truly powerless and were fearful of the often violent smugglers. Government statistics for "Operation Everglades" indicate this may not be true.

Due to a high powered media blitz, the news coverage of Everglades City was nationwide. Florida has always played a disproportionate role in the national offensive against drug smuggling. The misfortune of Everglades City is just one more vivid example of the casualties attributed to the illicit drug trade.

"Operation Everglades" has been largely successful in several respects, perhaps the most important has been to gain the attention of the American public by demonstrating the increased governmental concern in regard to all aspects of drug influence in American culture. This heightened public awareness will, hopefully, serve to stimulate continued government dedication.

As a State Attorney, I have been asked, on occasion, what the Federal government is actually accomplishing through implementation of the Vice-Presidential Task Force program and how well do we, in law enforcement, work together. In general, good working relationships exist between the task force group in Fort Myers and Federal, State and local law enforcement in the Twentieth Judicial Circuit. However, exchanges of information are primarily on a one-to-one basis between individual officers.

The establishment of coordinated practices of sustained intelligence interaction would be beneficial to both Vice-Presidential Task Force groups and also local law enforcement agencies. Attempting to operate almost autonomously in an area defeats the primary purpose of collecting intelligence and serves to work against the productivity of the Vice-Presidential Task Force agents. Local law enforcement agents may be able to assist Vice-Presidential Task Force groups by providing information which might serve to preclude weeks of preliminary investigation. Local agents may be able to provide valuable insights into smuggling operations in their areas and provide targets, fitting the Vice-Presidential Task Force criteria, that are beyond the scope of local agencies to investigate.

Lack of communication leads to misunderstanding and frustration between law enforcement agencies, to have this lack of communication aggravated by politics and inter-agency competition is self defeating. While we fail to really interact and address our mutual problems comprehensively, drug traffic runs rampant.

How well is it working? The task force efforts in Florida have produced sound but somewhat limited results. It is one of the best of the Federal programs yet despite its shortcomings.

More importantly . . . How long is it going to last? How long can we count on this high power commitment?

Is this politics or real enforcement? Does our government have a true commitment to the war on drugs? Are the task force programs a concept that will be allowed to mature and strengthen?

Will the programs be negated by a change in the Administration or will individual Federal agencies receive the support and necessary funding to continue the drug eradication efforts in Florida and throughout the United States?

I am vitally concerned with these last questions, for if we are to enjoy continued success and to make even greater strides in our National offensive against the organized criminal element and the abuse of drugs in our society, we must rely upon a complete and lasting commitment from our Federal government.

TESTIMONY OF MICHAEL J. SATZ, STATE ATTORNEY, 17TH JUDICIAL CIRCUIT OF FLORIDA

Despite the concerted efforts of federal, state and local law enforcement agencies, drug trafficking and abuse continue to flourish in South Florida.

These efforts, as well meaning as they may be, have certainly not been sufficient. Statistics repreatedly cited regarding large seizures of drugs do not mean the problem has abated. The drug crisis threatening this country in general and South Florida in particular cannot be measured in tons of marijuana and kilos of cocaine confiscated.

The flooding of the criminal justice system by drug cases can be seen in almost every division of the State Attorney's Office of the Seventeenth Judicial Circuit. The figures from the filing division indicate that during the past three years between 21 and 24 percent of all felony cases filed involved trafficking or some lesser drug charge as the primary offense. In 1982, of the 8,254 felonies filed by this office, 1,755 were drug cases. During the first six months of 1983, 987 of 4,333 felony cases filed have been drug charges.

As high as these figures are, they only reflect the drug cases actually filed and do not reflect the number of arrests made for drug offenses.

In addition to the case in which the primary offense is a narcotics violation, there is a large number of cases in which a drug charge accompanies another felony. A common example may be seen where a defendant charged with robbery or burglary has cocaine or marijuana in his possession when arrested.

Also, there are numerous cases in which a defendant is arrested for a felony with no drugs in his or her possession but in which there was some sort of drug related motive involved. Common examples in this category would be robberies and murders of drug dealers or would-be drug buyers, crimes committed under the influence of narcotics and crimes committed to obtain cash or property to purchase drugs.

With all of these types of situations in mind, we estimate that between 40 and 50 percent of the felonies we file are in some way drug related.

I do not wish to give the impression that drug trafficking and drug abuse are only burdening the prosecution arm of the criminal justice system. In the same way that the State Attorney's Office has been forced to allocate much manpower and time to drug cases, so too have our local police agencies. In some of the larger police agencies in Broward County, there are as many detectives assigned to organized crime bureaus have been investigating drug cases almost exclusively in recent years. Drug cases are draining many of the resources of local police agencies by their sheer number.

This concentration by law enforcement on narcotics to the near exclusion of other areas of organized crime has been addressed repreatedly and critically by the Broward County Grand Jury during the past two years, yet it continues to be a problem.

The allocation of more federal resources to South Florida in the past few years has helped the drug enforcement effort, but much more help is needed. More federal agents are needed along with additional federal prosecutors and federal judges. Our

Federal and State Courts are inundated with drug cases. This area has and is experiencing the results of more than a decade of massive drug importation.

Other areas of Florida and nearby states also are now experiencing increased illegal drug activity. These other areas also need increased federal enforcement support. I would hope that additional federal resources could be allocated to these areas, but not at the expense of South Florida.

South Florida needs more federal aid in combating the drug problem. Drugs in South Florida obviously are a federal problem and not just a local one. An increase of the federal law enforcement effort, additional federal judges and prosecutors, and a greater use of the armed forces for interdiction, are an absolute necessity.

TESTIMONY OF ROBERT E. STONE, STATE ATTORNEY, 19TH JUDICIAL CIRCUIT

Mr. Chairman and members of the House Select Committee on Narcotics Abuse and Control: I would like to thank the Committee for addressing what is, in my opinion, the most serious problem facing south Florida today—drug trafficking. I also deeply appreciate the Committee's invitation to share my impressions and recommendations concerning this problem.

The Committee's earlier hearings in Fort Lauderdale in 1979 clearly established the magnitude and seriousness of this problem in south Florida. No reiteration is necessary, as the problem remains one of extremely serious magnitude. Drug trafficking, unfortunately, is international is scope and national in impact. The State of Florida, and particularly south Florida, has become the major transit point for the introduction of cocaine, marijuana and other illicit narcotics into the United States. The effects of this upon this state have been serious; the impact on the state criminal justice system has been devastating. This epidemic of drugs has occurred at a time of rapid population growth in this state and in south Florida particularly. Drug enforcement efforts have diverted scarce law enforcement resources and placed a great burden on the enforcement arms of the criminal justice system, that is state, county and municipal law enforcement agencies. Obviously, enforcement success in this area has also generated added stresses on state attorney offices, in many instances requiring the establishment of special narcotic units whose sole function is to deal with trial and conviction of serious narcotics offenders. In addition, case preparation has consumed countless manhours from both investigators and assistant state attorneys. It should be re-emphasized that this diversion has arisen during a period of rapid growth for law enforcement. The same is true for state attorney offices. The narcotics traffic diverts scarce state attorney resources away from the traditional state law enforcement function and contributes to increased crime both directly and indirectly.

The courts, of course, have not escaped the impact of drug trafficking. Oftentimes multi-defendant cases of extreme complexity virtually paralyze the court system, causing delay and congestion in state court dockets. This, of course, diverts judicial resources from other matters both civil and criminal and creates further congestion and backlog in the state court system.

It cannot be overemphasized that all of this is occurring at the same time that Florida is one of the three fastest growing states in the nation, and the state government is hard pressed to provide an adequate criminal justice system within the limits of available resources.

As President of the Florida Prosecuting Attorneys Association, it is my intention to work in the state legislature to improve and strengthen law enforcement both the terms of training and funding. In addition, I intend to work to increase the resources available to state attorney offices throughout the state and also to increase the capacity of the judiciary to deal with this problem. Our Association intends to work to strengthen forfeiture laws, to increase penalties for major drug traffickers, and generally work in the legislature to strengthen the laws relating to drug trafficking. It is also incumbent upon us to seek to educate the public to the real cost of drug trafficing in terms of the lessened ability of the criminal justice system to function effectively when limited resources are being diverted to cope with this massive problem.

Turning to the federal government's role in coping with this problem—I applaud the efforts of President Reagan to increase the federal role in coping with this problem. Vice President Bush's Task Force was certainly a step in the right direction, as were the amendments of the Posse Commitatus Act. The sophisticated surveillance capabilities of the Navy, Coast Guard and Air Force have been of invaluable assistance in interdicting drug shipments emanating from outside the United States. We would specifically recommend that these interdiction efforts be continued and that military participation be made a permanent part of the federal government's assistance in this area. I believe that the Task Force should increase its efforts in identifying and prosecuting international organizations and identifying infiltrating criminal organizations of international scope that systematically engage in sophisticated smuggling operations.

Along the same lines, the Task Force should continue to strengthen its efforts at laundering operations so as to remove the incentive and financial gain from illicit drug trafficking. It would also be helpful if radar capabilities were strengthened in my area to eliminate any blind spots in the radar network along the Florida coast.

In conclusion, it is absolutely essential that state and federal law enforcement systems cooperate. This is especially true today in an era of limited budgets. Needless duplication of efforts should be avoided at all costs. Federal emphasis should be on the international and interstate aspects of the drug traffic. They should also center on detecting laundering operations. At the federal level we would urgently request increased personnel and resources in the United States Attorney's Office, law enforcement personnel, and in the judiciary. It should be noted that according to a recent survey, the judges of the United States District Court for the Southern District of Florida are handling approximately twenty percent of the existing federal criminal caseload. In addition, it is my understanding that almost one thousand cases are awaiting indictment in the Southern District. Obviously this extremely heavy caseload will impact on the ability of the federal courts to function effectively.

The Bush Task Force has made a positive contribution in this area and much progress has been made, but much remains to be done.

SUBMISSIONS FOR THE RECORD

MEMORANDUM—EXHIBIT "A"

OFFICE OF THE STATE ATTORNEY,
20TH JUDICIAL CIRCUIT OF FLORIDA,
Fort Myers, Fla.

To: Select Committee on Narcotics Abuse and Control, U.S. House of Representatives,
From: Joseph P. D'Alessandro, State Attorney, Twentieth Judicial Circuit.
Date: October 27, 1983.

On October 13, 1983, I testified before this committee in West Palm Beach, Florida and I was asked to expand upon a subject matter I discussed in that testimony and to do so by a memorandum.

There is a procedure being used today between federal and state prosecutors called cross designation of Attorneys. This practice can be very effective, but it has some limitations and it is those limitations that I wish to address.

Within the last year, there was a homicide uncovered in Collier County, Florida which was a very complex case, and which was ultimately solved because of an investigation and arrest made by federal authorities as to civil rights violations. When that case was solved, federal authorities notified my office and we were then in a posture to effectuate a state prosecution for murder. Since the Assistant United States Attorney was much more familiar with the case, we reached an agreement with the United States Attorney and cross designated the Assistant United States Attorney as an Assistant State Attorney. He came in the State system and successfully obtained a conviction of first degree murder. Under the practice now in the Southern and Middle Districts of Florida, an Assistant State Attorney could be cross designated into the federal system, though a case has not yet come up where that has occurred.

The above is how the federal and state prosecutors can cooperate and work together to the benefit of the public. There is a big drawback with cross designation and that is what I was to address.

Under the state system, an Assistant State Attorney can go into the Grand Jury room and present a case on behalf of the State. The witnesses appearing before the Grand Jury take an oath as to secrecy. The Assistant State Attorney who is conducting the Grand Jury investigation can divulge the essence of what occurred before the Grand Jury to the State Attorney or other law enforcement agency officers involved in the investigation. This allows leads obtained in the Grand Jury inquiry to be pursued by the investigative agency.

It is my understanding that under the federal law (the specific statute or regulation I am not acquainted with) in the federal Grand Jury system, the witnesses do not take an oath as to secrecy and they can discuss their testimony; however, the federal prosecutor cannot divulge, even to the law enforcement agency making the case, what has occurred in the Grand Jury room. Consequently, if an Assistant State Attorney is cross designated as an Assistant United States Attorney for the purpose of presenting a state case to a federal Grand Jury, that individual prosecutor is prohibited from divulging to me what is occurring in that Grand Jury investigation.

I think this is a matter which needs to be addressed and examined more closely.

State of Florida,
Department of Law Enforcement,
Tallahassee, October 27, 1983.

Mr. Lou Williams,
Select Committee on Narcotics Abuse and Control,
Washington, D.C.

Dear Mr. Williams: During my testimony before the Committee on October 13, 1983, I was requested, and I am hereby providing, a response to two questions:

Question 1. Are you aware or do you know when the last time Florida cabinet has had a briefing by your department and the attorney general's department, a full briefing on the drug trafficking problem in Florida?

Answer. The Florida Cabinet is briefed via quarterly reports regarding programs' statuses, including drug programs. These reports are provided at the end of each calendar quarter. Additionally, a full report is provided to the Cabinet in late October or early November of each year as a budgetary item. This includes statistical and programatic data regarding programs such as the drug problem. I will again point out that the Commission of this Department, the Governor, the Attorney General and the Cabinet Members are in frequent contact as deemed appropriate to discuss matters such as problems related to drugs.

Question 2. If you would, I would like you to indicate whether or not the cabinet has received any information or briefing from the South Florida Task Force.

Answer. It is my understanding that the Cabinet per se has not been briefed by the South Florida Task Force. However, both the Governor and the Attorney General, who is a Cabinet Member, have been.

Please advise me should you desire further information.

Sincerely,

James L. Harley,
Deputy Director,
Division of Local Law Enforcement Assistance
(For Robert L. Edwards, Director).

Operation Plan for Herbicidal Eradication of Domestic Marijuana

I. INTRODUCTION

In the Summer of 1981, the Florida Department of Law Enforcement, through its Division of Local Law Enforcement Assistance, initiated a Domestic Marijuana Identification and Eradication Program. The Program utilized aerial surveillances throughout the State to determine the amount of marijuana that was being commercially cultivated in the State of Florida, and, upon discovery, the crops were seized and eradicated by law enforcement personnel.

The Program, which was operational from June 1st to November 1, 1981, identified and eradicated approximately 53,000 marijuana plants from 155 growing sites in 41 counties of the State of Florida. During this first year of operation, the marijuana was only eradicated through manual means, i.e. the marijuana was physically cut down or uprooted with axes or power tools. Destruction of plants was carried out in accordance with state statute.

The initial operation plan provided for the eradication of domestic marijuana fields to be accomplished by two primary methods: manual and herbicidal. Stringent criteria had been established for the selection of sites for herbicidal eradication in order to insure the safety of persons, animals, and the environment. Although it remained a viable alternative to manual destraction, herbicidal eradication was never used since no reported location met the specific operational guidelines.

The success of the project in statistics of marijuana identified and destroyed and public interest and concerns mandate the expansion of the program for 1982. In the expanded program, alternate methods of destruction will be considered, and increased aerial surveillance is anticipated.

II. CONCEPT

Proliferation of marijuana cultivation in Florida has created a new area of narcotics enforcement. Aerial surveillance is accepted by most states and the Federal Drug Enforcement Administration (DEA) as the most effective method of detection. Manual eradication has been the only method of destruction within the United States with any success. The increase in the amount of marijuana now being identified stimulates the need for a more efficient manner of destruction.

In 1975, the United States and Mexico entered into an agreement to eradicate Mexican grown marijuana utilizing the herbicide paraquat. Following the successful Mexican eradication effort, several methods of extermination were studied, including manual, genetic, biological, incendiary, chemical or herbicidal. In a major study (Annex A), the Mitre Corporation evaluated biological and chemical control of opium, poppy, and marijuana.

This study released in January, 1980, concluded that biological control of these drugs is not realistic at this time and, in assessing chemical control, developed four critical environmental properties which would be used to screen herbicides marketed in the United States. According to the consummated criteria, an acceptable herbicide must be: (1) non-flammable; (2) non-volatile; (3) biologically inactive from zero to thirty days after soil contact; and, (4) non-leachable.

Of the 140 herbicides reviewed, paraquat and glyphosate were the only chemicals to meet all four criteria. The Mitre Corporation concluded that the use of paraquat for illicit crop control is environmentally acceptable based on current research, while at least several years of environmental testing would be necessary before a decision concerning use of glyphosate could be made.

In its paper on "Environmental Assessment and Finding of No Significant Impact," (Annex B), the Drug Enforcement Administration reported on the methods of eradication, evaluation of alternative modes of eradication, and selection of Florida as a test site. Methods of eradication discussed were Genetic (not recommended), Biological (not recommended), Fire (not recommended), Chemical/Herbicidal (recommended), and Mechanical (recommended). The available data on methods of eradication thus project herbicidal and manual eradication as the most appropriate means of illicit crop destruction within Florida.

Florida was found to be especially suitable as a test site because:

(1) The state has an active program of law enforcement of environmental regulations;

(2) The state has a first-rate law enforcement program and is actively seeking to reduce illicit domestic drug commercialism before it escalates to unmanageable proportions;

(3) The terrain of Florida is level with a minimum of vegetation and forestry that might serve to complicate eradication of marijuana and proliferate environmental damage by the use of herbicides;

(4) The level and sophistication of marijuana cultivation is low enough to provide for relatively simple eradication scenarios;

(5) The state has a significant amount of illicit marijuana growth as detected by sample aerial observations and supported by local law enforcement information; and,

(6) The state has extensive experience in crop and weed control and a respectable complement of professional personnel.

The herbicide paraquat was the chemical choice during the Mexican Operation and, since it has been used successfully and is apparently environmentally safe, is the likely choice for use in Florida. The chemical, patented in England and manufactured in Mexico, is licensed to be sold in the United States and Florida by the Chevron Chemical Corporation. During the years 1978 and 1979, approximately 61,000 pounds of active paraquat was used for agriculture purposes as a weed control for such crops as avocados, citrus, lettuce, peaches, potatoes, soy beans, and strawberries.

In summary, then, the recommendation of paraquat as the chemical of choice for herbicidal eradication in Florida is based on the following developments:

The 1975 agreement between Mexico and the United States led to the successful use of paraquat in a program to eradicate Mexican grown marijuana.

The successful use of paraquat in Mexico sparked a major study by the Mitre Corperation which concluded that of the 140 herbicides marketed in the United States, paraquat is the only pesticide that was environmentally acceptable.

The acceptable use of paraquat in the environment of Florida is not new. Approximately 61,000 pounds of the chemical is sprayed as a weed control for vegetables annually, and it has become one of the most used chemicals in agriculture.

A recent announcement by the Florida Attorney General's Office has endorsed the use of paraquat on any illicit crop which meets the specified criteria.

III. PROGRAM MANAGEMENT

Throughout last year's Domestic Marijuana Program, lack of manpower and equipment required for normal eradication necessitated that serious consideration be given to the use of herbicidal eradication. If paraquat is the specified herbicidal choice, several specific steps are necessary for its successful use.

First, the requirement for purchase and use of paraquat makes it necessary for an individual to hold a valid purchase authorization card or an applicator's license issued by the Department of Agricultural and Consumer Services of the State of Florida

Florida State Statute 487.155 (4) provides that the Department of Agriculture shall require each applicant for a certified applicator's license to demonstrate their competence by written or oral examination to prove that the applicant possesses adequate knowledge concerning the proper use and application of pesticides and herbicides. The Department of Agriculture also maintains and investigates all complaints of misuse of pesticides and herbicides by licensed applicators.

Upon the initiation of a herbicidal eradication program by the Florida Department of Law Enforcement (FDLE), contact will be made with the Florida Department of Agriculture to acquire a list of certified applicators, preferably another State Agency. FDLE will maintain a liaison with the Department of Agriculture during this project and will seek their assistance in locating and contracting with an appropriate applicator or State Agency.

Second, the use of paraquat is, of course, closely connected to the aerial surveillance component of the program. Marijuana cultivation sites will be located primarily through aerial surveillance and intelligence information provided by local law enforcement agencies. The Florida Department of Law Enforcement aircraft and observers will be utilized to identify and document these marijuana crops in order to categorize these sites for possible herbicidal eradication. All sighted marijuana crops will be photographed using a 35mm camera with color print film. Photographs will be procesed as evidence and will be used to assist in site selection for herbicidal eradication.

Third, once fields have been located and targeted for seizure and destruction, the following criteria will be utilized to determine the suitabiity of a particular marijuana crop for herbidical eradication:

(1) The ownership of the property will be considered. Public lands or property owned by major corporations will be considered a prime spraying site. A waiver of liability will be completed prior to commencement of spraying activity.

(2) Environmental Impact will be carefully considered prior to commencement of spraying. Spraying will not be used on locations where the presence of people, livestock, cattle, wildlife, lakes, streams, canals, rivers, ponds, other crops is encountered.

Fourth, once it is determined that a particular site is a candidate for eradication, close liaison will be maintained with local law enforcement, and surveillance with be initiated on the site to effect arrests of any growers and to protect the crop from being harvested. Prior to any eradication efforts the marijuana crop will be photographed, the number of plants counted, and appropriate samples taken from the crop.

An important aspect in considering any type of herbicidal eradication is the method that it will be sprayed. Currently there are three general methods used: aerial, vehicular tank, and backpack equipment. The first, aerial eradication, requires a fixed wing aircraft or helicopter. Any aerial spray operation should not be attempted when prevailing winds exceed 10 miles per hour and in some situations lower wind restrictions may be necessary to reduce spray drift. The second method, a vehicular tank spray system, can be mounted directly on a vehicle or towed behind the vehicle as a trailer. Finally, the backpack system requires manual sprayers which are run from a hand held tank to a backpack mounted sprayer where the herbicide is applied. It is anticipated that the tank or the backpack technique will be employed. Aerial spraying would be considered only as a last resort.

Regardless of the method chosen, the licensed applicator and all personnel working in the vicinity of the field will be supplied with protective breathing apparatus and will be required to wear goggles, gloves, and long sleeve clothing. The applicator will assure that conditions are suitable and personnel are properly protected prior to spraying.

According to existing research, actual plant death as a result of paraquat spray will not occur for three days. Consequently, fields sprayed will be placed under surveillance by law enforcement personnel to prevent harvesting of the crop by growers. After the crop is sprayed and deemed unharvestable it will be cut down and destroyed in accordance with local regulatioins. Prior to such action, destruct orders will be obtained.

HERBICIDAL SPRAYING CHECKLIST

The following items shall be completed prior to Herbicidal Spraying of Domestic Marihuana:

(1) Location of area to be sprayed.
  (*a*) secure the entire area for duration of operation
(2) Size of area to be sprayed.
(3) Date and time to be sprayed.
(4) Weather forecast for above date and location.
(5) Name of Supervisor of spraying operations and applicators.
(6) Name of FDLE personnel required at spraying site.
(7) List of other persons that will be present during spraying.
(8) Relationship of area to be sprayed to water source.
(9) Livestock or wildlife present.
(10) Type of vegetation in area of spraying.
(11) Has safety equipment for non-spraying personnel been obtained?
  (*a*) clothing
  (*b*) first aid supplies
(12) Has legal requirements been met?
  (*a*) search warrant
  (*b*) destruct order
(13) Local jurisdictional law enforcement notified.

The following items to be completed on spraying site:

(1) Names of all persons present.
(2) Is safety equipment being used?
(3) Type of livestock or wildlife present.
(4) Weather
  (*a*) temperature
  (*b*) wind speed and direction
  (*c*) cloudy or sunny
(5) Type of spraying equipment used.
(6) Type of herbicide used and application rate.
(7) Is ground water present?
(8) Date and time actual spraying commenced.
(9) Date and time spraying terminated.
(10) Brief Description of spraying operation.
(11) Arrangements made for post spraying activities to include security, removal, and destruction of marihuana.

IN THE CIRCUIT COURT IN AND FOR WALTON COUNTY, FLORIDA; STATE OF FLORIDA, EX PARTE MOTION

MOTION AND ORDER TO DESTROY CONTRABAND

Comes now the State of Florida on the ex parte motion, pursuant to Florida Statute 893.12, requesting that the Court authorize the Florida Department of Law Enforcement to destroy approximately 10,000+ pounds of cannabis and would state as follows:

1. Said cannabis was seized pursuant to a search warrant executed August 27, 1982.

2. Search reveals that there are approximately 10,000 pounds of cannabis under cultivation.

3. The area searched is an extremely isolated and virtually inaccessable area. The only alternative available to destruction is to completely harvest and transport the growing cannabis plants.

4. Harvesting a field of this magnitude would be extremely costly in manpower and time. The most efficient method of destruction for a field of this size is to use the herbicide Paraquat in conjunction with on site incineration.

The court having considered the above motion and being otherwise fully advised in the premises, it is hereby

Ordered that the Florida Department of Law Enforcement is hereby authorized to destroy the above described cannabis plants and is further authorized to use the herbicide Paraquat in the destruction.

Further, it is ordered that the use of the herbicide Paraquat shall be done by certified personnel under the supervision of the Florida Department of Law Enforcement.

Further, said destruction shall be in compliance with existing laws and Court orders of the United States of America and the State of Florida.

Further, that the Florida Department of Law Enforcement and certified personnel under its supervision shall use the herbicide Paraquat in accordance with existing regulatory and safety standards.

Further, the agent in charge of the destruction of the cannabis plants will submit an affidavit to this Court and to the United States Drug Enforcement Administration and said affidavit shall contain a record of the place where the cannabis was seized, of the quantity of cannabis seized and destroyed, and of the time, place and manner of destruction.

Ordered in Walton County, Florida, this 26th day of August, 1982.

CLYDE B. WELLS,
Circuit Judge.

IN AND FOR WALTON COUNTY, FLORIDA: STATE OF FLORIDA, PLAINTIFF, VS. GEORGE A. FAZEKAS, LOUIS G. PAPAS, AND OTHERS, DEFENDANT/S

CERTIFICATE OF DESTRUCTION, CONTROLLED DRUGS

Agency case No. 420-73-4002.

This is to certify that approximately 10,000 pounds of Cannabis Sativa L., described in the attached Order of 26 August 1982, was destroyed on the 31st Day of August 1982, with samples taken pursuant to Florida Statute 893.105.

The method of destruction was as follows:

1. At 9:00 a.m. on 28 August 1982, in compliance with attached order, existing regulatory and safety standards, the herbicide paraquat was applied to the seized Cannabis Sativa L.

The herbicide was applied at the site of seizure, the west ½ of the southwest ¼ of Section #6, township 2 North Range 17 West, Walton County, Florida, by certified personnel under the supervision of the Florida Department of Law Enforcement.

2. At 3:00 p.m. on 29 August 1982, the Cannabis Sativa L., which was sprayed and dried with the herbicide paraquat, was cut and placed in an excavation at the site of seizure.

3. At 10:00 a.m. on 30 August 1982, the destruction was completed by incineration of the sprayed Cannabis Sativa L. in an excavation at the site of seizure. After inceneration was completed the residue and the excavation were covered and the site was returned to a natural state.

Compliance with the attached Order was under the supervision of the Florida Department of Law Enforcement Special Agent John H. Sullivan.

JOHN H. SULLIVAN,
Destruction Officer.

Sworn to and subscribed before me this 23rd day of September, 1982.

LOLA M. MCQUEEN,
Notary Public,
State of Florida at Large.

STRATEGIES FOR DRUG CONTROL EFFORTS [1]

(By Florida Gov. Bob Graham)

In July 1982, at the Annual Meeting of the Southern Governors' Association in Hilton Head, South Carolina, the southern governors agreed that international drug trafficking has become an issue of major regional concern. Governor Lamar Alexander of Tennessee and Governor Bob Graham of Florida invited governors and state law enforcement officials to a special meeting in Nashville to discuss strategies for handling drug trafficking problems. The results of that meeting, held in September 1982, were eight policy recommendations for states to enhance drug control efforts. These recommendations subsequently received unanimous concurrence from all participating states.

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[1] Based upon recommendations of the Southern Governors' Conference of the National Governors Association Submiitted to Virginia Governor Charles S. Robb, Chairman, Committee on Criminal Justice and Public Protection.

On October 14, 1982, President Reagan announced his national initiatives to combat drug smuggling and organized crime. These initiatives are consistent with the recommendations developed by the governors in Nashville.

An ad hoc staff group of the National Governors' Association (NGA) met in Washington, D.C. on November 18, 1982, to define the role of the *Governors' Project* included in the President's initiatives. The group also agreed to work with staff of Governor Bob Graham of Florida to prepare an implementation strategy for the eight policy recommendations approved by the southern states. On January 13, 1983, Commissioner Robert Dempsey of the Florida Department of Law Enforcement presented an implementation strategy to the ad hoc committee for their review and comment. The southern governors wish to express their appreciation to the members of this committee for their willingness to work on this endeavor.

Upon adoption of the implementation strategy by the NGA, a steering committee should be appointed immediately to oversee and ensure implementation. This steering committee should submit an annual report to the NGA on progress related to these initiatives.

Both the President's and the governors' recommendations indicate that it is imperative that implementation of drug strategies be closely coordinated among the states and at the federal level.

EXECUTIVE SUMMARY

The following is a plan for implementing recommendations for drug control that was drafted by an ad hoc group from the NGA in January 1983. The following eight items were identified as needed for better drug control in the United States:

(1) Increased educational efforts, including the establishment of blue ribbon commissions in each state and a federally-sponsored national education program;

(2) Intensified eradication and interdiction, i.e., military/naval assistance to state and local governments, focusing on the destruction of drugs at their source, foreign or domestic, and on an increased military commitment to the interdiction of drugs being imported by air or sea;

(3) National reaction, encouraging the continuation of the Bush Task Force and the twelve regional task forces;

(4) Centralized information and intelligence data base, combining and coordinating data from local, state, multi-state and federal sources;

(5) Concerted street enforcement activity, urging stronger support for local law enforcement agencies drug control personnel and equipment;

(6) Standard legislation to be developed in each state and through a national committee formed for this purpose;

(7) Greater prosecutorial commitment, with the same priority given to drug cases as to other priority areas; and

(8) Coordination of efforts of local agencies enabling agencies to pool information and resources for maximum effort.

Each recommendation is accompanied by specific suggestions about actions governors might take or support. There is also a comment on the fiscal impact of each recommendation and ways in which this might be minimized.

A list of presidential initiatives that were not among those developed by the NGA but which nevertheless deserve gubernatorial support, is included at the end of this document.

THE GOVERNORS' ISSUES

I. Need for increased educational efforts

The problem of drug abuse in our society is related to so many factors that it cannot be successfully addressed by any single discipline. A consistent exchange of information and ideas among the various disciplines that can affect consumer demand does not exist. The ultimate long-term success of drug control efforts is not possible without a marriage of these disciplines, supported by an educated and involved public.

Recommendation

Each state should consider the establishment of a Blue Ribbon Statewide Drug Education Commission involving leader from the public and private sectors. This Commission should consist of high-level representatives from a cross section of disciplines including law enforcement, prosecution, judicial, educational, medical, legislative and citizen/parent/young people groups.

Implementation strategy

Each governor should consider appointing representatives from a cross section of the public and private sectors to a Statewide Drug Education Commission. It is imperative that the membership comprising this Commission be committed to and aggressive toward accomplishing the goals established by this recommendation. The Commission should direct efforts toward:

Private Industry.—Providing crime-specific information, identifying industry prevention programs and funding sources and integrating mutual industry/citizen/enforcement activities.

Public Awareness and Concern.—Coordinate and organize citizens' groups and programs; develop citizens' prevention program models; develop media campaigns' "technology transfers"; and integration with civic and church groups, industry, education and enforcement. The Commission should consider the "Texas War on Drugs" program, which has established itself as a model in this area.

Public School Education.—Assist the Department of Education in developing and presenting more relevant, positive and proactive curricula in law-related education.

Law Enforcement, Community Organizations and Neighborhood Coordination.—Provide training to law enforcement personnel in order to promote more effective integration of enforcement agencies with community educational activities. Existing crime prevention and other local networks should be recognized and used.

Governors should urge that a national effort, adequately staffed, be undertaken to develop program models and information services for the individual states.

Governors should urge that the federal government develop and implement a national education program. In this regard, the President has recommended that emphasis be placed on training of state and local law enforcement personnel. Governors should be encouraged to support this initiative.

Fiscal impact

The fiscal impact of educational efforts can be minimized by turning to the private sector for executive resources, fund raising activities and creative talent. Membership on the Blue Ribbon Commissions would be voluntary. States could also save resources by promoting drug education through existing citizen networks, such as those addressing crime prevention.

2. *Need for intensified eradication and interdiction: Military/naval assistance to State and local governments*

The federal government has exclusive responsibility for coordinating interdiction of drug shipments from foreign countries and assisting those countries in the eradication of drugs at the source. As a result of intensive lobbying, three significant developments have occurred over the past year that have had a positive impact on eradication and interdiction efforts: (1) relaxation of the Posse Comitatus doctrine, allowing the military to provide assistance to civilian law enforcement agencies; (2) the removal of the Percy Amendment to the Foreign Assistance Act, which prohibited foreign governments from receiving assistance from the U.S. government if herbicides were used to control illicit drugs; and (3) the recent effort made by the national administration to support eradication efforts in foreign countries.

Recommendation

The federal government should adopt, as its top drug control priority, the eradication of illicit drugs in source countries and the interdiction of drugs leaving those countries.

The United States should continue encouraging foreign governments to employ eradiction methods, including herbicidal applications, and should continue to absorb or contribute to the costs of some of the more critical programs in significant source countries. In addition, the military forces of the United States should be called upon to make a major commitment to increase their level of support in the interdiction effort.

Implementation strategy

Governors should consider adopting a resolution to Congress and the President to urge the federal government:

To keep as one of its top drug control priority programs the eradication of drugs at source countries and to continue to provide adequate funding in subsequent years.

To develop improved eradication techniques.

To continue to contribute to the cost of these control efforts.

To continue to encourage other countries to utilize eradication methods.

Keeping in mind the tremendous increase of domestically grown marijuana and clandestine manufacture of dangerous drugs, governors should support eradication efforts and the development and application of innovative measures within their states to combat these activities.

Governors should urge the national administration to expand the role of the military forces of the United States in air and sea interdiction efforts. This increased role should include all regions of the country.

Governors should encourage their state and local law enforcement agencies to work closely with and seek assistance from the military forces of the United States and develop plans with military forces to coordinate efforts against drug trafficking.

Governors should encourage their respective congressional delegations to provide sufficient funding to the military to offset the costs involved in participating in civilian drug control efforts.

The governors should consider having the National Guard and all other appropriate resources work with state and local law enforcement agencies in drug interdiction and eradication programs.

Fiscal impact

States implementing eradication efforts will experience costs. Cooperation with federal eradication efforts is encouraged to minimize those expenditures. Costs may also be associated with National Guard activities aimed at assisting state drug law enforcement. These costs can be minimized, or possibly eliminated, by conducting National Guard drug enforcement activities in conjunction with regular Guard training exercises.

3. Need for a National Reaction

Over the past decade, numerous states have been hurt by the growing drug problem. These states have taken independent steps to combat the problem; however, their resource limitations and geographic restrictions have hindered the states' effectiveness. The federal government, realizing the national ramifications of the drug problem, has conducted several significant operations that have lessened these restrictions and limitations, such as the recent Bush Task Force in South Florida and the creation of twelve regional task forces.

Recommendation

The federal government should be encouraged to maintain on a permanent basis the federal resources associated with the original Bush Task Force and twelve new task forces.

Implementation strategy

Each governor should urge his/her respective congressional delegation to maintain and continue support of the original Bush Task Force and the twelve new regional drug task forces.

The governors should urge that top White House justice officials meet twice yearly with selected governors from the NGA to discuss policy issues of mutual interest related to drug trafficking.

Governors should support the Presidential Commission on Organized Crime, which will be in operation for three years. Membership of this commission should include a representative of the NGA.

Governors should request the Department of Justice to include state representatives having policy-making or operational responsibilities in drug enforcement on the internal group responsible for administering the regional task forces. Further, that these representatives have appropriate decision-making status in the group within parameters of state-related responsibilities. Further, that each governor should appoint a state drug enforcement coordinator to meet with the lead administrator of the respective task force on a specific periodic basis.

The governors should communicate with their respective state and local law enforcement officials to actively support the President's initiative.

Governors should consider actively soliciting public support of these initiatives through speeches, media and other public information resources.

Governors should, through their respective legislatures, ensure that adequate resources are available for states to coordinate effectively with and complement the federal task force efforts.

Fiscal impact

Each state must analyze its investments to ensure that it is taking a balanced approach to drug enforcement. A state's investment priorities should reflect the seriousness of the drug problem in that state.

4. Need for a centralized information and intelligence data base

Law enforcement agencies involved in drug control have historically been hampered by lack of accessible and assessable intelligence information relating to illegal trafficking. A centralized system to receive, analyze and disseminate information among state and local law enforcement agencies must exist if proactive, nonduplicative and significant targeting efforts are to occur. Such a system must interact with similar systems in other states and with the federal government.

Recommendation

Each state must establish a centralized drug-related intelligence system. To be effective, the individual systems must ensure input from and response to local enforcement agencies and should interact consistently with appropriate state and multi-state systems and the Drug Enforcement Administration's El Paso Intelligence Center (EPIC).

Implementation strategy

Governors should direct their primary state drug enforcement agency to begin the development of a statewide drug-related intelligence system, with analysis and targeting capabilities. These systems should be joined with the other appropriate state, multi-state and federal intelligence systems.

States that possess such systems should share concepts, ideas and technologies with other states.

States should ensure that these systems provide the information to all local law enforcement agencies within their respective states.

The individual states should ensure that their systems are linked with appropriate systems in other states, as well as with multi-state and federal intelligence systems.

Governors should recommend that their appropriate law enforcement agencies develop a mandatory drug statistics reporting system relevant to the measurement of the drug problem and the impact of enforcement efforts.

Fiscal impact

Costs associated with establishing or enhancing state intelligence systems will vary from state to state. Purchasing a new computerized system, including both hardware and software, is an expensive process. Where computer systems are already in place, such as in those states where responsibility for collecting UCR data is at the state level, costs may be limited to developing necessary software. Some personnel enhancements may also be necessary.

5. Need for concerted street enforcement activity

Local law enforcement agencies must provide the immediate response to a variety of community demands for crime control. It is difficult for those agencies to dedicate already strained resources to proactive drug prevention and enforcement problems. However, the real direct and indirect drug-related crimes must be dealt with constantly as a part of the required law enforcement responses to the community. This response is as adamantly demanded as are responses to violent crime areas.

Recommendation

Governors and legislators of the various states should apply maximum support and effort toward increasing resources (personnel and equipment) of local law enforcement agencies.

Implementation strategy

Governors should consider alternative funding options, such as private sources (foundations, etc.) or via legislative mechanisms such as fine and forfeiture allocations specifically earmarked for drug control enforcement programs.

Governors should promote adequate federal and state support of local law enforcement agencies. Because the drug problem is one of national scope, federal resources are needed to support critical or extraordinary state and local enforcement efforts. Governors should also stress to local leaders their support for the allocation of needed resources to conduct drug enforcement programs, joint operations and cooperative efforts.

Fiscal impact

State government statistical systems must provide governors with adequate assessments of local drug trafficking problems. Resource support will vary from state to state depending upon the magnitude of the problem, i.e., border state, source state, major distribution point, etc. Governors should assess existing investments to ensure they are addressing the problem as a priority matter. In particular, border states must dedicate a portion of available new resources to the priority problems of drug trafficking and distribution.

G. Need for standard legislation

There is great disparity among the states drug laws. There is evidence that smuggling organizations have taken advantage of some states' deficiencies in legal recourse and probabilities of detection, apprehension and prosecution.

Recommendation

Each state should establish a legislative committee of prosecutive, enforcement, judicial and legislative members to examine and develop a comprehensive system of model and uniform laws dealing with the drug problem. The state bar associations and law schools should be included in this effort. This committee can be a separate entity, or a part of an existing statewide drug activity.

Implementation strategy

The Governors should consider the establishment of a committee operating within their respective states to examine existing legislation and determine that state's needs.

A National Committee should be created, reporting to the NGA Committee on Criminal Justice and Public Protection. This committee will develop a comprehensive system of model and uniform laws dealing with the drug issue and will disseminate the model drug legislative package back to the respective states for their consideration.

The Governors should see that the federal government assign appropriate representatives to this National Committee to promote uniformity of state and federal laws and serve as a mechanism to transmit states' concerns to the federal legislative process.

The National Committee should consider at least the following items for the model legislative package:

Racketeer Influenced and Corrupt Organizations Act (RICO)—providing for the prosecution of entire criminal organizations and civil forfeiture of real and personal property used in the course of, or acquired with the proceeds of, their criminal activities.

Drug trafficking laws.—providing appropriate sentences for drug violators and a graduating scale of penalties commensurate with the seriousness of the violation, and permitting consideration of foreign felony drug convictions in sentencing drug law violators.

Wiretaps—providing for court-authorized interception of telephonic communications between drug law violators.

Mutual aids.—Providing for definitions of interjurisdictional authorities, liabilities, agreements and resource exchanges within and among the various states.

Mandatory reporting of currency transactions.—Requiring financial institutions reporting of certain transactions to the states. The statute of limitations must provide sufficient time to allow full use of complex law enforcement techniques before arrest.

Conspiracy provisions.—Providing for charging those who direct or participate in drug smuggling ventures to be sentenced as principals.

Mandatory reporting of drug statistics.—To a central entity both within the states and at the federal level to reduce duplicate reporting and to establish a valid data base for problem assessment and resource allocation.

Contraband and asset forfeiture reform.—With application of fines and forfeitures being applied directly to law enforcement programs, i.e., through trust funds.

State department of revenue files access.—Providing for access, with appropriate safeguards, by law enforcement agencies.

Witness and victim protection.—Providing authority and funding required and making it an offense with significant punishment to annoy or injure a witness or victim involved in the criminal justice process.

Bail reform.—To more certainly immobilize drug traffickers with less judicial discretion, i.e., where smugglers are known to travel internationally or where violence is predictable.

Governors should urge that the Congress remove restrictions, with appropriate safeguards, that prevent the Internal Revenue Service from sharing intelligence regarding criminal activities with state and local authorities.

The President has asked the Congress to continue its efforts to seek passage of essential criminal law reforms. The specific laws mentioned were bail reform, forfeiture of assets, sentencing reform and amendments to the exclusionary rule. The governors should consider supporting the President's initiative in seeking passage of these essential reforms and ensure that these issues are coordinated with similar state legislation reform efforts.

Fiscal impact

There are minimal state costs associated with this activity.

7. Need for greater prosecutorial commitment

Prosecutors are hindered by heavy court dockets and broad responsibilities that make it difficult for them to dedicate resources to the prosecution of major drug smuggling operations. Alternative approaches to drug prosecution and better coordination among circuits dealing with multi-jurisdictional organizations are needed. Prosecutors should take steps to expedite drug enforcement cases, as has been done successfully in cases involving career criminals. Additional resources are needed for prosecution of highly financed and well-defended drug organizations.

Recommendations

Governors of the various states are urged to encourage prosecutors to include drug cases as a part of their jurisdiction's priority prosecution/carrer criminal programs.

Governors should develop programs that will attract and retain competent prosecuting attorneys.

Implementation strategy

Governors should seek strong commitments from their respective legislatives to ensure that prosecutive offices are given the necessary support to recruit and retain qualified prosecutors for specific assignments to drug cases.

Governors should urge that state prosecutive officials coordinate with federal task forces and U.S. Attorneys to minimize duplicative efforts and maximize the impact of prospecutive efforts. This effort should include the newly established Law Enforcement Coordinating Committees (LECC) and other recognized processes created to provide mutual federal state and local assistance.

Governors should encourage state and local prosecutors to assume leadership in the development and coordination of priority drug investigative efforts and priority prosecution strategies, and urge implementation of special judicial processes that guarantee fair and speedy adjudication of major drug cases.

Fiscal impact

Direct state jurisdiction over prosecution responsibilities vary from state to state. Where career criminal programs have been implemented throughout the state, major drug cases should be handled on the same expedited basis as a way of establishing priorities and minimizing expenditures associated with prosecution. This effort should include development and implementation of procedures for handling prosecution of both career criminal and major drug trafficking cases on a priority basis. Where prosecution is a shared responsibility of the state and local governments, all levels should work together to expedite the prosecution of carrer criminals and drug trafficking cases. Most costs associated with a new emphasis on the prosecution of drug cases will be for personnel.

8. Need for coordination of efforts of local agencies

There is generally no mechanism to provide for local/state agencies to pool their resources and work together on common drug targets. Equipped with the necessary legislation, agencies can draft contractual agreements to effect "joint force operations" or "mutual aid pacts" to expand resource and jurisdictional abilities to attack drug operatives.

Recommendation

The various states should consider development of necessary legislation to develop a "mutual aid system", whereby law enforcement agencies can contractually join together and pool their knowledge, resources and skills toward investigatively attacking drug smuggling networks.

Implementation strategy

The Governors should consider, as referenced in the legislative reform section, the development of "mutual aid" legislation to ensure that the law enforcement agencies within and among the various states can contractually join together to effect joint force operations.

The Governors should ensure that the lead state law enforcement agency coordinates with local law enforcement agencies so that their operational concerns and initiatives are effectively coordinated with federal task force efforts.

Fiscal impact

Development of "mutual aid" systems will require a dedication of time by existing personnel and minimal support resources.

Additional Presidential initiatives

In addition to the recommendations made by the President that have been included in the previous discussions, the following presidential initiatives are also worthy of strong support by the NGA.

The President has called for a Cabinet-level Committee on Organized Crime, chaired by the Attorney General, to review and coordinate all federal efforts against organized crime.

The President has requested that the Attorney General prepare an annual report to the American people to report on progress and needs in the drug fight.

The President has requested that additional prison and jail space be provided to meet the need caused by the creation of the twelve task forces.

The President recommends that emphasis be placed on training of state and local law enforcement personnel.

U.S. Department of Justice,
U.S. Attorney, Middle District of Florida,
Tampa, Fla., November 2, 1983.

Hon. Charles Rangel,
Chairman, House of Representatives, Select Committee on Narcotics Abuse and Control, Washington, D.C.

Dear Mr. Rangel: It is my understanding that the Select Committee on Narcotics Abuse and Control heard testimony in West Palm Beach, Florida on October 13, 1983. Inasmuch as certain testimony presented to the Committee addresses matters for which this office is directly responsible, I take this opportunity to offer what I trust is helpful comment relevant to the Committee's concerns. In this regard, of particular interest to this office are the remarks to the Committee by the Honorable Joseph P. D'Alessandro, State Attorney for Florida's Twentieth Judicial District.

Mr. D'Alessandro offered the Committee a wide ranging presentation offering his perspective on problems confronting both federal and state narcotics enforcement in the State of Florida. I note from his remarks that his particular emphasis was on the problems prevalent in the southwestern Florida area, an area which is encompassed by two federal judicial districts. As the United States Attorney charged with the administration of the Middle Judicial District of Florida my responsibilities extend into the southwest Florida area including, as Mr. D'Alessandro noted, two counties which fall within the State Twentieth Judicial Circuit.

While Mr. D'Alessandro's remarks were generally laudatory with respect to the increased federal effort against narcotics traffickers in his area, he did make a few observations which I feel require comment. Shortly after being appointed United States Attorney for this District I undertook to consult with Mr. D'Alessandro and other responsible law enforcement officers throughout the District, both state and local, for the purpose of evaluating the law enforcement priorities in this District and to devise a comprehensive and coordinated plan whereby federal resources could be most effectively utilized to accomplish our priority goals. In accordance with the mandate of the Attorney General of the United States, the Law Enforcement Coordinating Committee was established, of which Mr. D'Alessandro is a member; and pursuant to that Committee's deliberations it was determined that narcotics enforcement was indeed the number one priority for the Middle District of Florida. Thereafter, this office, together with responsible federal, state and local agencies undertook to implement a coordinated and focussed effort in that area. It was recognized in this District, as in most other federal Districts, that what was needed was an approach which maximized the efficiency of those resources which were available, resources which were not infinite in supply and resources which could always arguably be insufficient. This is not to say we did not make a concerted effort to augment those existing resources where deemed necessary. I am pleased to advise you that we have been successful on both fronts. We have in fact achieved a coordinated drug effort unprecedented in this District involving the Federal Bureau of Investigation, Drug Enforcement Administration, Customs Service, Internal Revenue Service, as well as other federal, state and local law enforcement components. We have implemented a program whereby federal prosecutors have been cross-designated as Assistant State Attorneys to assist in state prosecutions and Assistant State Attorneys have been in turn cross-designated as Special Assistant

United States Attorneys to handle matters in federal court. As United States Attorney I have offered the resources of this office to all State Attorneys within the District, including Mr. D'Alessandro, and have further made it clear that, particularly in the area of narcotics trafficking, complex cases which are beyond the capability of limited state resources to adequately address are suitable for and should be brought to the attention of this Office. Since May of 1982 when I first assumed this position we have in fact prosecuted several major narcotics matters which originated with state investigative and/or prosecutive agencies. I am aware of no single instance wherein this office was requested to assist or prosecute a narcotics related matter which request was declined.

In addition to the cooperative posture of this office and all similar federal enforcement offices throughout the United States we have, as I noted, made significant strides in augmenting our prosecutorial resources. In May of 1982 the authorized staffing level for the Middle District of Florida was 33 Assistant United States Attorneys. We have seen an increase to 40 since that time including one Assistant United States Attorney who routinely travels to the Ft. Myers area. This office and the Department of Justice are aware of the dynamics of growth throughout the Middle District and are cognizant of the need for additional resources.

Certain of Mr. D'Alessandro's comments were critical of federal resource levels and responses from the perspective of his office. It is undeniably true that we need additional judicial resources. This need is critical. I recently addressed the assembled District Court Judges for the Middle District of Florida and found a consensus existed that existing judicial levels in this District are insufficient to meet the mounting pressures on the judiciary. You may be interested to know that for the period September to May 1983 this District saw 87 trials as opposed to the preceding period in which only 29 trials were conducted. From an enforcement perspective, as we continue to identify and prosecute sophisticated narcotics trafficking organizations we may expect a continued increase in litigation.

Mr. D'Alessandro's comments concerning the light or disparate sentencing practices of federal judges have not been observed in this District. The judges here are aware of the dangers posed to society by major narcotics offenders and reflect in their sentencing policies their view of the severity of these crimes. In addition, while bail reform is desirable I would point out that in the Middle District of Florida we do not have recurring problems common to other large districts whereby narcotics traffickers with access to considerable financial resources are freed on minimal amounts of bail only to flee and avoid prosecution. It should also be noted that within the Middle District we generally proceed to trial on a faster track than our state counterparts.

Mr. D'Allessandro advised the Committee that the presence of federal prosecutors within the Twentieth Judicial District has been virtually non-existent. In this connection I would first observe that the physical location of a federal prosecutor in a particular state judicial district does not mean that a substantial federal prosecutive presence is not there. In fact in the Middle District of Florida we have 12 State Attorneys and no less than 9 can accurately state that there is no federal prosecutor physically present on a full-time basis within their jurisdiction. The Middle District of Florida is apparently no different from any other federal judicial district in the United States in this regard.

With regard to substantive rather than symbolic presence there is no question but that this office has had and will continue to have a real impact throughout our southwest jurisdictional portion. Every major cocaine seizure and every major narcotics trafficking case of which I am aware arising in the southwest area of our district within the past year has been prosecuted federally. We have presently pending in our Tampa office (staffed by 20 Assistants) a substantial number of narcotics matters arising in that area. No less than five Assistant United States Attorneys are presently assigned to numerous significant cases and ongoing investigations in the Ft. Myers Division, to many of which Mr. D'Alessandro is simply not privy. In addition, after consultation with Mr. D'Alessandro we sought and were given by the Department of Justice a new position for an Assistant United States Attorney to handle tast force type narcotics cases in the Ft. Myers area. This highly experienced narcotics prosecutor travels regularly to our Ft. Myers office and coordinates federal investigative efforts and certain key investigations.

Finally, I would observe that this office enjoys an excellent working relationship with responsible state law enforcement in this District. We have met with Mr. D'Alessandro on several occasions to discuss matters of mutual interest and we have accommodated each and every one of his requests to provide federal attention to matters which his office was unable to handle.

If I can be of any further assistance to you or the Committee, please do not hesitate to contact me.

Sincerely,

ROBERT W. MERKLE,
U.S. Attorney.

STATE OF FLORIDA,
DEPARTMENT OF EDUCATION,
Tallahassee, November 14, 1983.

Mr. EDWARD H. JURITH,
Staff Counsel, Select Committee on Narcotics Abuse and Control, House of Representatives, Washington, D.C.

DEAR MR. JURITH: Ms. Jerol Phillips of the Florida Department of Health and Rehabilitative Services asked me to respond to these questions raised by Congressman Gilman.

(1) What portion of the twenty million dollars in "Safe Schools" funding is used for drug abuse prevention/education, and how is it used?

(2) What portion of the one million dollars in health education funding is used for drug prevention/education, and how is it used?

Such precise data are not available. The funds are distributed to qualifying school districts for programs of local design and implementation. There is no reporting required to precisely determine what amounts are spent on drug prevention and education.

The Safe Schools appropriation is allocated on a formula basis. The formula is determined by the school district's percentage of full-time students and the number of Part 1 offenses reported in the county by the Florida Department of Law Enforcement. Funds are being distributed to the school districts of Broward, Dade, Duval, Hillsborough, Orange, Palm Beach, Pinellas, Polk, and Volusia. These funds may be used for any direct expenditure for the maintenance of a safe and orderly learning environment. No program description or application is required.

Comprehensive health eduation funds are distributed by the Department of Education to school districts which submit applications. Each application includes: a statement of the nature of the district program; a description of provisions for a sequential program of instruction; the number of students and teachers to be involved; a provision stating how governmental agencies and private organizations will be enlisted; an estimate of the cost; and a plan for evaluation.

School districts are not required to report on percentages of expenditures related to specific topics nor is a final report required.

Your interest and efforts at the federal level in this program are greatly appreciated.

Sincerely,

RALPH D. TURLINGTON.

STATE OF FLORIDA,
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES,
November 18, 1983.

Mr. EDWARD A. JURITH,
Staff Counsel, Select Committee on Narcotics Abuse and Control, House of Representatives, Washington, D.C.

DEAR MR. JURITH: Congressman Tom Lewis has requested that I provide you with an explanation supporting the denial of the certificate of need application for a 100 bed specialty hospital in Palm Beach County submitted by Glenbeigh of the Palm Beaches.

Proposals for the addition of psychiatric and substance abuse beds to either general purpose or freestanding hospitals are by law subject to certificate of need review. This department has, by rule, established criteria for the review of such proposals to include a formula for estimating the number of such beds which will be needed in each of our 11 HRS service districts five years hence. In the district which includes Palm Beach County, there are at present four hospital facilities which provide or are approved to provide chemical dependency treatment. Two of those are actually located in Palm Beach County. The total need in the district projected for 1988 is capable of being met by these existing and approved services.

If you need further information, please let me know.

Sincerely,

DAVID H. PINGREE, *Secretary.*

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